



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

**CONSTRUCTION CODE COMMISSION
BUREAU OF CONSTRUCTION CODES**

Conference Room 3, First Floor
2501 Woodlake Circle
Okemos, Michigan 48864

AGENDA

March 5, 2008

9:30 a.m.

1. Call to Order and Determination of Quorum
2. Approval of Agenda (Pages 1-2)
3. Approval of Minutes – January 9, 2008 (Pages 10-15)
4. Director's Report H. Green
5. Report of Assistance to Local Enforcing Agencies - Document 08-15 (Page 16) M. Sisco
6. Ordinances (Pages 17-18)
 - a) Rescinding Ordinance – Document 08-20 M. Sisco
7. Applications for Approval to Administer and Enforce Document 08-16 (Page 19) M. Sisco
8. Performance Evaluation Report (Pages 20-30) M. Sisco
 - a) Union Township/Isabella County – Document 08-23
9. Applications for Program Approval - Document 08-17 (Pages 31-35) M. Sisco
10. Applications for Instructor Approval – Document 08-18 (Pages 36-38) M. Sisco
11. Applications for Inspector Registration - Documents 08-19a-c (Pages 39-44) M. Sisco

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12. Inspector Registration Appeal (Pages 45-100) M. Sisco
 - a) Charles Partyka – Document 08-21
13. Product Approval - Plumbing (Pages 101-102) B. Konyndyk
 - a) Invacare Access 3600XL, 3750, 3600, 3650, and 2800 Hydromassage Bathtubs Document 08-24
14. Product Approval – Mechanical (Pages 103-108) T. Barry
 - a) Tyco Fire & Building Products Grooved Couplings and Fittings Document 08-22
15. Certificates of Acceptability – Document 08-26 (Pages 109-110) I. Poke
 - a) CA-515 – Modular Buildings of Monroe
16. Request for Formal Interpretation – Document 08-25 (Pages 111-115) I. Poke
17. Public Comment
18. Old Business
19. New Business
 - a) Commission Correspondence from Tim Israel (Pages 116-125)
 - b) Commission Correspondence from Richard Nash & Associates (Pages 126-129)
20. Schedule for 2008 – May 7th, July 9th, September 10th, November 5th
21. Adjournment

The meeting site is accessible, including handicapped parking. Individuals attending the meeting are requested to refrain from using heavily scented personal care products in order to enhance accessibility for everyone. People with disabilities requiring additional accommodations in order to participate in the meeting should contact Holly Velez at (517) 241-9302 at least 10 work days before the event.



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DEPARTMENT OF LABOR & ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES
Conference Room 3, First Floor
2501 Woodlake Circle
Okemos, Michigan 48864

MINUTES

September 12, 2007
9:30 a.m.

MEMBERS PRESENT

Mr. Duane Branch
Mr. Robert DeBerardino
Mr. William Donovan
Mr. Jack Edington
Ms. Dawn Holtrop
Ms. Kelly Hunt
Mr. Robert Jagenberg
Mr. Kenneth Lawless
Mr. Nelson McMath
Mr. Amru Meah
Mr. Sean O'Neil
Mr. Don Pratt
Mr. Edwin Tatem
Ms. Beth Yorke

MEMBERS ABSENT

Mr. Clifton Lewis

DEPARTMENT OF LABOR & ECONOMIC GROWTH PERSONNEL ATTENDING

Mr. Henry L. Green, Director
Mr. Mark Sisco, Deputy Director
Mrs. Holly Velez, Secretary to Mr. Green
Ms. Margie Hebden, Secretary to Mr. Sisco
Mr. David Viges, Director, Office of Management Services
Mr. Scott Fisher, Director, Office of Local Government & Consumer Services
Mr. Charles Curtis, Assistant Chief, Building Division
Mr. Irvin Poke, Chief, Plan Review Division
Mr. Todd Cordill, Assistant Chief, Plan Review
Mr. Virgil Monroe, Chief, Electrical Division
Mr. Daniel O'Donnell, Assistant Chief, Electrical Division
Mr. Tennison Barry, Chief, Mechanical Division
Mr. Dave Adams, Assistant Chief, Mechanical Division

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Mr. Robert Konyndyk, Chief, Plumbing Division
Mr. Andrew B. Neuman, Assistant Chief, Plumbing Division

OTHERS IN ATTENDANCE

Bill Levan, CISPI
Bill Southard, Bingham McCutchen LLP (CISPI)
Gary Gordon, Dykema Gossett (CISPI)
Len Wolfe, Dykema Gossett, (CISPI)
Lynn Briggs, Contractors Legislative Services (SMACNA, MMIA/MIAM)
Michael Taylor, City of Detroit
Deana VanDyke
Mitch Kelly, DuctSox
Kevin Gebke, DuctSox
Matt Lux, DuctSox
Julius Ballanco, JB Engineering (MWI)
Mark Peyser, Howard & Howard (MWI)
John Moraly, MWI
Charles Grois, IAPMO R&T
Tom Shields, MRG, Inc.
Tom Zimmerman, Burke Agency (Charlotte Pipe)
Bruce Dean, AGS
Phil Forner
Bill Easterling

1. CALL TO ORDER AND DETERMINATION OF QUORUM

Chairperson Pratt called the meeting to order at approximately 9:30 a.m. A quorum was determined present at that time.

2. APPROVAL OF AGENDA

A **MOTION** was made by Commissioner Donovan and supported by Commissioner Branch to approve the amended agenda. **MOTION CARRIED.**

3. APPROVAL OF MINUTES

A **MOTION** was made by Commissioner Edington and supported by Commissioner Branch to approve the minutes of the July 11, 2007 meeting. **MOTION CARRIED.**

4. DIRECTOR'S REPORT

Michigan Economic Development Corporation (MEDC)

Mr. Green provided the Commissioner's with a report from the MEDC. This report provides some positive information regarding what is happening in Michigan.

Budget

Mr. Green reported that some time was spent at the Legislature last week with respect to our budget. The Department's budget has been approved by the House Appropriations Committee. It then goes to the full House and Senate and will probably be approved. One element that needs to be addressed is the 4 bills that are before the Legislature dealing with fee increases for licensing. These fee increases will help sustain the codes program over the next several years. Without the increases, the bureau will face a deficit in our code fund in 2008. This will mean additional cuts within the program to assure a balanced budget. The bills that are before the Legislature are: 4843 to increase the plumbing fees, 4844 to increase the electrical fees, 4846 to increase the mechanical contractor fees, and 4848 to increase the Building Official Registration fees.

5. PETITION FOR APPROVAL OF MATERIALS, PRODUCTS & METHODS (PLUMBING).

Mr. Robert Konyndyk presented a report from the State Plumbing Board on the following product for installation and use in the State of Michigan. It is recommended the product be denied:

a) **MWI Hubless Cast Iron Pipe and Fittings – Document 07-68**

Following comments by Mark Peyser, Charles Grois, Julius Ballanco, John Moraly and Bill Levan and discussion by the Commission a **MOTION** was made by Commissioner DeBerardino and supported by Commissioner Yorke to accept staff's recommendation to deny this product for installation and use in the State of Michigan. **MOTION CARRIED.**

6. INSPECTOR REGISTRATION APPEAL - Tabled

A **MOTION** was made by Commissioner Edington and supported by Commissioner Branch to remove this item from the table. **MOTION CARRIED.**

a) **Michael D. Taylor – Addendum Document 07-75**

Mr. Mark Sisco presented information regarding Mr. Taylor's appeal of the denial of his request for registration as a building official and building inspector.

Following comments by Mr. Taylor, and discussion by the Commission, a **MOTION** was made by Commissioner Lawless and supported by Commissioner O'Neil to split the application and take this up as 2 individual applications. **MOTION CARRIED.**

A **MOTION** was made by Commissioner Donovan and supported by Commissioner Tatem to accept Mr. Taylor's request for provisional registration as a building official. **MOTION CARRIED.**

A **MOTION** was made by Commissioner DeBerardino and supported by Commissioner Branch to accept the recommendation of staff to deny Mr. Taylor's request for provisional registration as a building inspector. **MOTION CARRIED.** (Commissioner Meah abstained from the votes.)

7. **PROPOSED 2008 MEETING DATES**
Document 07-58

A **MOTION** was made by Commissioner O'Neil and supported by Commissioner McMath to approve the 2008 meeting dates. **MOTION CARRIED.**

8. **APPLICATION FOR APPROVAL TO ADMINISTER AND ENFORCE**

a) **With Certified Ordinance – Document 07-54**

Mr. Scott Fisher presented an application for approval to administer and enforce and certified ordinance from: Village of Stockbridge/Ingham County (Michigan Electrical, Mechanical and Plumbing Codes) and City of Three Rivers/St. Joseph County (Michigan Building Code).

A **MOTION** was made by Commissioner Branch and supported by Commissioner O'Neil to accept the recommendation of staff to approve the application and certified ordinance for approval to administer and enforce the above code. **MOTION CARRIED.**

9. **RECOMMENDATION TO WITHDRAW AUTHORITY – VILLAGE OF OTTER LAKE/LAPEER COUNTY** – Document 07-67

Mr. Scott Fisher presented a memo outlining the enforcement concerns and a chronology of events of these concerns regarding the ability of the Village of Otter Lake to adequately administer and enforce the code. It is the recommendation of staff to accept the report with the recommendations as outlined.

Following discussion by the Commission, A **MOTION** was made by Commissioner Donovan and supported by Commissioner Branch to accept the recommendations of staff. **MOTION CARRIED.**

10. **RECOMMENDATION TO CONDUCT PERFORMANCE EVALUATION**

a) **Vienna Township/Genesee County - Document 07-66**

Mr. Scott Fisher presented a memo outlining enforcement concerns and a chronology of events relating to the Township's code enforcement program due to their failure to adequately discharge their responsibilities to provide proper construction code administration and enforcement services within the Village of

Otter Lake and the Township. It is the recommendation of staff that a performance evaluation of the Township's code administration and enforcement program be conducted.

A **MOTION** was made by Commissioner O'Neil and supported by Commissioner DeBerardino to accept the recommendation of staff. **MOTION CARRIED.**

11. **PERFORMANCE EVALUATION REPORT**

a) **Port Huron Township/St. Clair County - Document 07-62**

Mr. Scott Fisher presented a performance evaluation summary of Port Huron Township St. Clair County. It is the recommendation of staff to accept the report with the recommendations as outlined.

Following discussion by the Commission, A **MOTION** was made by Commissioner Tatem and supported by Commissioner Donovan to accept the recommendations of staff. **MOTION CARRIED.**

b) **City of Hamtramck/Wayne County - Document 07-65**

Mr. Scott Fisher presented a performance evaluation summary of the City of Hamtramck Wayne County. It is the recommendation of staff to accept the report with the recommendations as outlined.

Following discussion by the Commission, A **MOTION** was made by Commissioner Branch and supported by Commissioner McMath to accept the recommendations of staff. **MOTION CARRIED.**

12. **APPLICATIONS FOR PROGRAM APPROVAL – Document 07-55**

Mr. Scott Fisher presented a list of continuing education program applications for approval. The programs were reviewed and found to be in compliance with the registration rules and it is the recommendation of staff that the programs be approved.

A **MOTION** was made by Commissioner DeBerardino and supported by Commissioner Lawless to approve the applications as submitted. **MOTION CARRIED.**

13. **APPLICATIONS FOR CONTINUING EDUCATION INSTRUCTOR APPROVAL
Document 07-56**

Mr. Scott Fisher presented a list of continuing education instructor applications for approval. Each has documented training and education in compliance with the registration rules, and it is the recommendation of staff that the instructors be approved.

A **MOTION** was made by Commissioner DeBerardino and supported by Commissioner Tatem to approve the applications as submitted. **MOTION CARRIED.**

14. **APPLICATIONS FOR REGISTRATION OF CODE OFFICIALS**
Document 07-57a-f

Mr. Scott Fisher presented a list of applications for registration as building officials, building inspectors, plan reviewers, electrical inspectors, mechanical inspectors, and a plumbing inspector. It is the recommendation of staff that the individuals listed be approved.

A **MOTION** was made by Commissioner Branch and supported by Commissioner Jagenberg to approve the applications. **MOTION CARRIED.** (Commissioner DeBerardino abstained.)

15. **PETITION FOR APPROVAL OF MATERIALS, PRODUCTS & METHODS (PLUMBING).**

Mr. Robert Konyndyk presented the following products for installation and use in the State of Michigan. It is the recommendation of staff that the following products be approved:

- a) **Tane Water Commander Approval Petition - Document 07-59**
- b) **NIBCO Press System Fittings – Document 07-60**
- c) **Moen Models S758, S658 and 7315 Single Handle Pull-Down Faucet Document 07-61**

A **MOTION** was made by Commissioner Branch and supported by Commissioner Lawless to approve items a-c for installation and use in the State of Michigan subject to the conditions of use and installation. **MOTION CARRIED.**

16. **PETITION FOR APPROVAL OF MATERIALS, PRODUCTS & METHODS (MECHANICAL)**

Mr. Tennison Barry presented the following products for installation and use in the State of Michigan. It is the recommendation of staff that the following products be approved:

- a) **Spears LabWaste CPVC Corrosive Waste Solvent System – Document 07-63**
- b) **DuctSox Air Dispersion Systems – Document 07-64**

A **MOTION** was made by Commissioner Meah and supported by Commissioner Jagenberg to approve these products for installation and use in the State of Michigan subject to the conditions of use and installation. **MOTION CARRIED.**

17. **CERTIFICATES OF ACCEPTABILITY**

Mr. Irvin Poke presented the following manufacturers for Certificates of Acceptability in the State of Michigan. It is the recommendation of staff that the following manufacturers be issued a Certificate of Acceptability:

Document 07-74a – Steel Stadiums CA-508

Document 07-74b – Professional Building Systems Inc. CA-511

Document 07-74c – Parkline Inc. CA-512

A **MOTION** was made by Commissioner DeBerardino and supported by Commissioner McMath to issue the Certificates of Acceptability as noted on Document 07-74a-c. **MOTION CARRIED.**

18. **PUBLIC COMMENT**

None.

19. **OLD BUSINESS**

Almont Township – Mr. Mark Sisco provided an update on the status of the order to withdraw their code enforcement authority. The Department has been in negotiations for several months. These negotiations have broken off and the bureau intends to proceed to a hearing to enforce the Commissions order to revoke their code enforcement authority. The hearing is scheduled for September 18th and 19th.

20. **NEW BUSINESS**

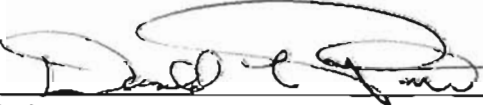
None.

21. **2007 MEETING SCHEDULE** – November 7th

22. **ADJOURNMENT**

A **MOTION** was made by Commissioner Branch and supported by Commissioner Donovan to adjourn the meeting at approximately 11:35 a.m. **MOTION CARRIED.**

APPROVED:



Chairman, Construction Code Commission

1/9/08
Date



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

CONSTRUCTION CODE COMMISSION
DEPARTMENT OF LABOR & ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES
Conference Room 3, First Floor
2501 Woodlake Circle
Okemos, Michigan 48864

MINUTES

January 9, 2008
9:30 a.m.

MEMBERS PRESENT

Mr. Robert DeBerardino
Mr. William Donovan
Mr. Jack Edington
Ms. Dawn Holtrop
Ms. Kelly Hunt
Mr. Robert Jagenberg
Mr. Kenneth Lawless
Mr. Clifton Lewis
Mr. Sean O'Neil
Mr. Don Pratt
Mr. Edwin Tatem
Ms. Beth Yorke

MEMBERS ABSENT

Mr. Duane Branch
Mr. Nelson McMath
Mr. Amru Meah

DEPARTMENT OF LABOR & ECONOMIC GROWTH PERSONNEL ATTENDING

Mr. Mark Sisco, Deputy Director
Mrs. Holly Velez, Secretary to Mr. Green
Ms. Margie Hebden, Secretary to Mr. Sisco
Mrs. Beth Aben, Director, Office of Administrative Services
Mr. David Vigas, Director, Office of Management Services
Mr. Scott Fisher, Director, Office of Local Government & Consumer Services
Mr. Larry Lehman, Chief, Building Division
Mr. Charles Curtis, Assistant Chief, Building Division
Mr. John Tisdale, Senior Inspector, Building Division
Mr. Irvin Poke, Chief, Plan Review Division
Mr. Todd Cordill, Assistant Chief, Plan Review
Mr. Daniel O'Donnell, Assistant Chief, Electrical Division
Mr. Jim Hennesey, Senior Inspector, Electrical Division
Mr. Tennison Barry, Chief, Mechanical Division
Mr. Dave Adams, Assistant Chief, Mechanical Division

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Mr. Kevin Kalakay, Senior Inspector, Mechanical Division
Mr. Robert Konyndyk, Chief, Plumbing Division
Mr. Andrew B. Neuman, Assistant Chief, Plumbing Division
Mr. Joe Madziar, Senior Inspector, Plumbing Division

OTHERS IN ATTENDANCE

Lynn Briggs, Contractors Legislative Services
Robert Meyer, Leelanau County
John McGlinchey, Cohl, Stoker, Toskey & McGlinchey
Bert Gale, AGS
Dale Westrick
David Pate, City of Adrian
Richard Garno, City of Adrian
George Papdelis, Telly's Greenhouse
Richard Gartner, Assistant Attorney General
Don Welch, Bureau of Fire Services

1. CALL TO ORDER AND DETERMINATION OF QUORUM

Chairperson Pratt called the meeting to order at approximately 9:32 a.m. A quorum was determined present at that time.

2. APPROVAL OF AGENDA

A **MOTION** was made by Commissioner Edington and supported by Commissioner DeBerardino to approve the agenda. **MOTION CARRIED.**

3. APPROVAL OF MINUTES

A **MOTION** was made by Commissioner Lewis and supported by Commissioner Tatem to approve the minutes of the September 12, 2007 meeting. **MOTION CARRIED.**

4. DIRECTOR'S REPORT

Deputy Director Mark Sisco provided an update regarding the Michigan Building Code. He explained the issues that have held up the promulgation of these rules.

5. REPORT OF ASSISTANCE TO LOCAL ENFORCING AGENCIES
Document 08-01

Mr. Mark Sisco presented, for information only, a list of municipalities for which the bureau is providing assistance.

6. **REPORT OF RESCINDING ORDINANCE – Document 08-08**

Mr. Scott Fisher presented certified ordinances from the Village of Elsie/Clinton County rescinding their building, electrical, mechanical and plumbing ordinances and transferring the authority to the County of Clinton; City of Montrose/Genesee County rescinding their electrical, mechanical and plumbing ordinances and transferring the authority to the State of Michigan; and Watervliet Township/Berrien County rescinding their plumbing ordinance and transferring the authority to the State of Michigan. It is the recommendation of staff that these ordinances be approved.

A **MOTION** was made by Commissioner Edington and supported by Commissioner Lawless to approve the ordinances. **MOTION CARRIED.**

7. **PERFORMANCE EVALUATION REPORT**

a) **Benzie County - Document 08-09**

Mr. Scott Fisher presented a performance evaluation summary of Benzie County. It is the recommendation of staff to accept the report with the recommendations as outlined.

Following discussion by the Commission, A **MOTION** was made by Commissioner DeBerardino and supported by Commissioner Lewis to accept the recommendations of staff. **MOTION CARRIED.**

b) **Leelanau County - Document 08-10**

Mr. Scott Fisher presented a performance evaluation summary of Leelanau County. It is the recommendation of staff to accept the report with the recommendations as outlined.

Following discussion by John McGlinchey, County Attorney, Robert Meyer, Building Official, and the Commission, A **MOTION** was made by Commissioner Jagenberg and supported by Commissioner Yorke to accept the recommendations of staff. **MOTION CARRIED.**

8. **RECOMMENDATION TO CLOSE PERFORMANCE EVALUATION**

a) **Exeter Township/Monroe County - Document 08-06**

Mr. Scott Fisher presented a summary of the performance evaluation report of Exeter Township/Monroe County. It is the recommendation of staff to close the performance evaluation file.

A **MOTION** was made by Commissioner DeBerardino and supported by Commissioner O'Neil to accept the recommendation of staff. **MOTION CARRIED.**

b) London Township/Monroe County – Document 08-07

Mr. Scott Fisher presented a summary of the performance evaluation report of London Township/Monroe County. It is the recommendation of staff to close the performance evaluation file.

A **MOTION** was made by Commissioner Donovan and supported by Commissioner O'Neil to accept the recommendation of staff. **MOTION CARRIED.**

9. APPLICATIONS FOR PROGRAM APPROVAL – Document 08-02

Mr. Scott Fisher presented a list of continuing education program applications for approval. The programs were reviewed and found to be in compliance with the registration rules and it is the recommendation of staff that the programs be approved.

A **MOTION** was made by Commissioner Jagenberg and supported by Commissioner Tatem to approve the applications as submitted. **MOTION CARRIED.**

**10. APPLICATIONS FOR CONTINUING EDUCATION INSTRUCTOR APPROVAL
Document 08-04**

Mr. Scott Fisher presented a list of continuing education instructor applications for approval. Each has documented training and education in compliance with the registration rules, and it is the recommendation of staff that the instructors be approved.

A **MOTION** was made by Commissioner Lawless and supported by Commissioner DeBerardino to approve the applications as submitted. **MOTION CARRIED.**

**11. APPLICATIONS FOR REGISTRATION OF CODE OFFICIALS
Document 08-05a-h**

Mr. Scott Fisher presented a list of applications for registration as building officials, building inspectors, plan reviewers, electrical inspectors, mechanical inspectors, and plumbing inspectors. It is the recommendation of staff that the individuals listed be approved with the exception of Christopher Salazar listed on Document #08-05h pending final approval by the State Plumbing Board at their next meeting scheduled for February 6, 2008.

A **MOTION** was made by Commissioner O'Neil and supported by Commissioner Donovan to approve the applications. **MOTION CARRIED.** (Commissioner DeBerardino abstained.)

12. **PETITION FOR APPROVAL OF MATERIALS, PRODUCTS & METHODS (PLUMBING)**

Mr. Robert Konyndyk presented the following products for installation and use in the State of Michigan. It is the recommendation of staff that the following products be approved:

- a) **Kohler Co., Steward Waterless Urinals Models K-4917, K-4918, K-4919 Document 08-12**
- b) **Shurjoint Piping Products for Copper Water Systems – Document 08-13**

A **MOTION** was made by Commissioner Tatem and supported by Commissioner Jagenberg to approve both items for installation and use in the State of Michigan subject to the conditions of use and installation. **MOTION CARRIED.**

13. **CERTIFICATE OF ACCEPTABILITY**

Mr. Irvin Poke presented the following manufacturer for a Certificate of Acceptability in the State of Michigan. It is the recommendation of staff that the following manufacturer be issued a Certificate of Acceptability:

Document 08-14 – Powerwave Technologies Inc. - CA-513

A **MOTION** was made by Commissioner Edington and supported by Commissioner O'Neil to issue the Certificate of Acceptability as noted on Document 08-14. **MOTION CARRIED.**

14. **REQUEST FOR FORMAL INTERPRETATION – Document 08-11**

Mr. Larry Lehman presented a Formal Interpretation of Section R105.2 of the Michigan Residential Code as requested by The Michigan Association of Home Builders. It is the recommendation of staff to accept and issue this interpretation.

Following discussion by the Commission, a **MOTION** was made by Commissioner Holtrop and supported by Commissioner Edington to accept staff's recommendation to accept and issue the interpretation as noted on Document 08-11. (Commissioner Donovan voted nay) **MOTION CARRIED.**

15. **PUBLIC COMMENT**

Dale Westrick voiced concerns he has with Watertown Township/Clinton County and the fees they are charging for inspections. He also raised concerns with a subdivision within his township that is allowing occupancy in the homes without the sewer system being connected. Chairman Pratt advised Mr. Westrick to file a written formal complaint with the bureau.

George Papadelis owner of a garden center in the City of Troy brought forth an issue that has been raised regarding agricultural use of land. He provided background on the issue that he shared with the Commission. Mr. Rick Gartner, Assistant Attorney General for the bureau was present in the audience and reiterated that the Supreme Court Decision is final. Commissioner DeBerardino made the suggestion of taking this case to the City of Troy's Zoning Board of Appeals.

16. **OLD BUSINESS**

None.

17. **NEW BUSINESS**

Commissioner Jagenberg requested an understanding if and why the Bureau of Fire Services Designee is not listed in the Minutes and will they be in the future? Mr. Sisco explained that Mr. Green is in discussion with the Department on this issue.

Commissioner Donovan inquired when the interpretation approved by the Commission today would be effective. The interpretation is effective immediately.

18. **2008 MEETING SCHEDULE** – March 5th, May 7th, July 9th, September 10th, November 7th

19. **ADJOURNMENT**

A **MOTION** was made by Commissioner Jagenberg and supported by Commissioner DeBerardino to adjourn the meeting at approximately 11:25 a.m. **MOTION CARRIED.**

APPROVED:

Chairman, Construction Code Commission

Date




JENNIFER M. GRANHOLM
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STATE OF MICHIGAN
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LANSING

KEITH W. COOLEY
DIRECTOR

February 6, 2008

DOCUMENT #08-15

TO: Members of the Construction Code Commission
FROM: Mark Sisco, Deputy Director 
SUBJECT: Report of Assistance to Local Enforcing Agencies

Below are the municipalities for which we have granted temporary assistance:

1. New Buffalo Township/Berrien County
Building code plan review, permit and inspection services
Project: Whittaker Woods Project
2/1/08 – until completion of project
2. Leroy Township/Ingham County
Building code plan review, permit and inspection services
Project: Webberville United Methodist Church
1/28/08 – until completion of project

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DOCUMENT #08-20

February 13, 2007

TO: Members of the Construction Code Commission

FROM: Scott D. Fisher, Director *SDF/jlp*
Office of Local Government and Consumer Services

SUBJECT: Ordinance

Attached is one ordinance received from a unit of government. This ordinance has been reviewed and found to be acceptable.

RECOMMENDATION: It is the recommendation of staff that the Construction Code Commission accept the ordinance listed on the following page.

SDF/jlp

Attachment

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<u>LOG #</u>	<u>DATE RECEIVED</u>	<u>GOVERNMENTAL SUBDIVISION</u>	<u>ORDINANCE #</u>	<u>DATE OF ADOPTION</u>	<u>CODE</u>	<u>COMMENT</u>
1. B-08-02	12/21/2007	Bridgeton Township/Newaygo Co.	None	12/10/2007		Rescinding Building ordinance and transferring A & E to the County of Newaygo



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DOCUMENT #08-16

February 13, 2008

TO: Members of the Construction Code Commission

FROM: Scott D. Fisher, Director
Office of Local Government and Consumer Services *MS/08*

SUBJECT: Applications for Approval to Administer and Enforce a Code

The following units of government have submitted applications for approval to administer and enforce the Michigan codes, along with the appropriate ordinances:

1. **P-08-04 Raisin Township/Lenawee County**
Michigan Plumbing Code
Ordinance No. 071219, Adopted 12/19/2007
Inspector/Plan Reviewer: Dave Pate (Registration No. 003896)
Previously state enforced
2. **P-08-05 City of New Buffalo/Berrien County**
Michigan Plumbing Code
Ordinance No. 174, Adopted 1/22/2008
Inspector/Plan Reviewer: John Dobberteen (Registration No. 004925)
Previously state enforced

RECOMMENDATION: It is the recommendation of staff that the units of government listed be approved to administer and enforce the codes in accordance with their applications for approval, and certified ordinances.

SDF/jlp

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DOCUMENT #08-23

February 5, 2008

TO: Members of the Construction Code Commission
FROM: Henry L. Green, Hon. AIA
SUBJECT: Union Township/Isabella County
PE 08-005

Attached for your consideration is the performance evaluation report of Union Township.

HLG/ms

Attachment

Providing for Michigan's Safety in the Built Environment

BUREAU OF CONSTRUCTION CODES
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Performance Evaluation Report

UNION TOWNSHIP ISABELLA COUNTY

*Prepared for
State Construction Code Commission*

March 5, 2008

*Henry L. Green, Director
Bureau of Construction Codes*

Keith W. Cooley, Director
Department of Labor and Economic Growth

STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
UNION TOWNSHIP PERFORMANCE EVALUATION REPORT

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STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
REPORT ON THE PERFORMANCE EVALUATION OF
UNION TOWNSHIP

FOREWORD

On January 10, 2008, Bureau of Construction Codes (BCC) staff conducted a performance evaluation of the code administration and enforcement program within Union Township/Isabella County.

The authority for this action is found in Section 9b(1) of the Stille-DeRossett-Hale Single State Construction Code Act, 1972 PA 230, MCL 125.1509b which states, in part, that:

"The director, as prescribed in this section, may conduct a performance evaluation of an enforcing agency to assure that the administration and enforcement of this act and the code is being done pursuant to either section 8a or 8b . . ."

A performance evaluation of local code enforcement may be conducted by the BCC when authorized by the State Construction Code Commission (SCCC) or at the request of a local enforcing agency. This performance evaluation was requested by the local enforcing agency, Union Township.

The purpose of the evaluation was to determine the adequacy of the local code enforcement program within Union Township. The evaluation consisted of an assessment of the administrative procedures, plan review functions, and field inspection procedures utilized by the Township. The evaluation also included a review of randomly selected permit files and projects under construction.

This report contains a listing of the findings from the evaluation and recommendations for corrective action.

FINDINGS

In accordance with the provisions of Section 8b of the Stille-DeRossett-Hale Single State Construction Code Act, 1972 PA 230; MCL 125.1501 et seq, (hereinafter referred to as the "Act"), Union Township, (hereinafter referred to as the "Township"), in accordance with Section 8b(4) of the Act, submitted a notice of intent within the required time frame which declared its intent to continue to assume the responsibility for administering and enforcing the Michigan Building and Residential Codes. Isabella County has the authority for the administration and enforcement of the Electrical, Mechanical, and Plumbing Codes within the Township.

Township representatives present and/or assisting in the evaluation were: Randy Robinson, Building Official, Building Inspector, and Plan Reviewer (Registration No. 005085). Beth Doecker, the Township's Building Department Clerk, provides administrative support for the Township's Building Department and is a full time Township employee. All inspection staff utilized by the Township is registered in accordance with law. The Township's Building Department, located within the Township Hall building, maintains regular weekday office hours of 8:30 a.m. to 4:30 p.m. Mr. Robinson is a full time Township employee, and functions as the Township's Building Official, Building Inspector, and Plan Reviewer.

The BCC Director identified deficiencies in the manner in which codes are administered and enforced. The following list provides information on areas of concern.

1. During the evaluation it was discovered that the Township had maintained a master permit file recordkeeping system that identified projects by project name and permit number. Documentation relating to permit application forms, building permit forms, plan review reports, inspector notes, and Certificates of Occupancy were consistently maintained within the Township's files. However, it was found that the Township did not maintain copies of code

violation notices and inspection records within the master permit files. This specific finding will be fully addressed in Finding No. 6 within this report. The Township shall develop, consistently utilize, and maintain a written set of proper building department record keeping procedures that comply with Act 230, and the code being enforced within the Township.

2. A review of random project files conducted during the evaluation revealed that the use group classification and type of construction for a project were not included upon the Township's building permit forms and Certificates of Occupancy.

Section R110.3 (4) of the code requires:

"A description of that portion of the structure for which the certificate is issued."

3. Based upon a review of the documentation maintained within the building department, it was noted that code sections are not consistently being cited upon the Township's disapproval stickers or plan review reports.

Section R113.2 of the code states, in part that:

"The building official is authorized to serve a notice of violation or order on the person responsible...of a building or structure in violation of the provisions of this code..."

4. During a review of the documentation provided during the evaluation, it was discovered that the Township did not utilize a building permit application form that was approved for use by the Commission.

Section 10 (1) of the Act states in part:

"The application shall be on a form prescribed by the commission..."

The Township shall develop, and consistently utilize, a building permit application form prescribed for use by the Commission and shall maintain the form within the corresponding master permit file.

5. During the evaluation, it was discovered that the Township does not have a Construction Board of Appeals as required by Section 14 of the Act. Section 14(1) of the Act states, in part, that:

“A construction board of appeals for each governmental subdivision enforcing the code shall be created consisting of not less than 3 nor more than 7 members, as determined by the governing body of the governmental subdivision. Unless otherwise provided by local law or ordinance, the members of the board shall be appointed for 2 year terms...A member of the board of appeals shall be qualified by experience or training to perform the duties of members of the board of appeals...”

6. During the evaluation it was discovered that the Township did not utilize a formal code violation notice form or inspection report form to document the performance of an inspection. Approval or disapproval stickers were left upon the project site following an inspection and this is the method the Township utilizes to notify permit holders of violations identified during the inspection. The inspector records his findings from the inspection into a daily inspection log book and the results from the inspection are entered into the building department computer system by administrative staff. It was also found that the Township did not maintain records of inspection reports, or code violation notices within the respective permit files. It is crucial that inspection reports be utilized, dated and consistently maintained in the project file, documenting the date of inspection, type of inspection, violations of the code with applicable code sections cited, and should consistently bear the signature of the inspector performing the inspection.

7. During the evaluation it was discovered that the Township maintained no copies of County-issued trade permits for projects constructed under a Township-issued building permit within its master project files. Therefore, there were no records contained within the Township's project files of electrical, mechanical, and plumbing permits issued by the County and inspections performed by the County whenever the Township issued a building permit for the structure. During the evaluation it was indicated that the Township kept in close daily contact with the County's building department to verify that corresponding trade permits had been issued for a project, but that the verification was verbal in nature. It was also indicated that the County's Electrical, Mechanical, and Plumbing Inspectors would meet with the Township's Building Inspector at the project site when the applicant had requested a final building inspection. The County's Inspectors would carry copies of the trade permits issued for the project, and would answer the Building Inspector's questions regarding the project prior to the conduct of the final building inspection. Upon completing his final building inspection, the Township's Building Inspector and the County's Electrical, Mechanical, and Plumbing Inspectors would sign and date the Certificate of Occupancy as required by the code. However, upon review of the Township's master permit files, there was no written verification of trade permit numbers and inspections performed until a Certificate of Occupancy was prepared following the completion and approval of the final building inspection. The Township shall require a copy of all trade permits issued by the County that correspond to a building permit issued for a project within the Township, and shall maintain a copy of the trade permits within the Township's corresponding master permit files for the period of time required for the retention of public records.

RECOMMENDATIONS

Based on the findings of this performance evaluation, the BCC Director concludes the following changes are needed in the administration and enforcement of construction codes within Union Township to ensure compliance with all applicable statutes and to ensure that construction within the Township is safe.

1. The Township shall develop and maintain proper building department record keeping procedures. The Bureau recommends establishing a project file system by property address. The project file shall contain all information relating to all permit applications, permits, plans, if small enough, inspection reports, plan review reports, copies of violation and correction notices, the certificate of occupancy, and any other information related to construction at that address. The file is to be placed in the active file alphabetically by street name and numerically by address. When the project is complete, the project file may be moved to the inactive files set up in the same manner. Files shall be retained in the official records for the period required for the retention of public records. The Township shall provide a report detailing the establishment and utilization of a master project file record keeping system to the Bureau within 60 days of approval of this report.

2. The Township shall revise its building permit and Certificate of Occupancy forms to consistently include the identification of the project's use group classification and type of construction upon the forms. The Township shall provide a copy of its revised building permit form and Certificate of Occupancy form, and a copy of its written procedure outlining the requirement for the identification of the project's use group classification and type of construction upon the permits and certificates to the Bureau within 60 days of approval of this report.

3. The Township shall develop and maintain a written set of inspection procedures that direct the Township Inspector to consistently cite code section numbers of notice of violation forms and plan review reports and to consistently maintain a copy of the forms within the corresponding master permit files. The Township shall provide the Bureau with a copy of its revised inspection procedures within 60 days of approval of this report.

4. The Township shall develop and utilize a building permit application form that contains the language prescribed by the Commission and complies with law, and shall provide a copy of its revised building permit application form to the Bureau within 60 days of approval of this report.

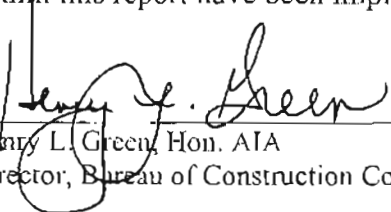
5. The Township shall establish and maintain a Construction Board of Appeals staffed with individuals qualified by experience or training and shall develop procedures for processing and hearing appeals related to code decisions rendered by the Township inspectors in accordance with Section 14 of the Act. The Township shall provide a written set of procedures governing its Construction Board of Appeals and shall provide the names and qualifications of the members of its board of appeals to the Bureau within 60 days of approval of this report.

6. The Township shall develop and consistently utilize a formal written inspection report form that includes the date the inspection was performed, the type of inspection performed, and shall bear the true signature of the inspector performing the inspection. The inspection report form/field correction notice form shall include code sections of violations identified that will be provided to permit holders upon completion of all inspections where violations have been identified. The Township shall utilize the inspection report form to document all inspections performed and the form shall be placed within the corresponding project file to document the performance of all inspections. The Township shall provide a copy

of its inspection report form and code violation notice form to the Bureau within 60 days of approval of this report.

7. The Township shall include a copy of each trade permit issued by Isabella County on projects being constructed under a Township-issued building permit within the corresponding master project file being maintained by the Township. The Township shall require a copy of all trade permits issued by the County that correspond to a building permit issued for a project within the Township, and shall maintain records of the trade permits within the Township's corresponding master permit files for the period of time required for the retention of public records. The Township shall develop a written procedure addressing this recommendation and shall provide a copy of the procedure to the Bureau within 60 days of approval of this report.

8. The Township shall comply with recommendations 1, 2, 3, 4, 5, 6 and 7 within 60 days of approval of this report (and shall provide a report to the State Construction Code Commission regarding the progress in complying with all remaining recommendations, or alternatively provide the reasons for not implementing the recommendations, within 120 days of acceptance of this report by the Construction Code Commission). It is recommended that a re-evaluation of the Township's construction code administration and enforcement program be conducted within 3-6 months after the deadline to verify that the recommendations contained within this report have been implemented.


Henry L. Green, Hon. AIA
Director, Bureau of Construction Codes

2-15-08
Date

The Township is advised that, pursuant to Section 9b of the Act, failure to comply with the recommendations may result in the issuance of a Notice of Intent to Withdraw Code Administration and Enforcement Responsibilities from the Township.



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

DOCUMENT #08-17

February 13, 2008

TO: Members of the Construction Code Commission

FROM: Scott D. Fisher, Director *MS/for*
Office of Local Government and Consumer Services

SUBJECT: Continuing Education Program Applicants

The programs listed on the attached pages are those for which approval has been requested by providers or sponsors of continuing education programs required of building officials, inspectors, and plan reviewers to renew their registrations. Document #08-17 is a list of programs that have been submitted for approval for the cycle beginning September 17, 2006 through September 16, 2009.

Each provider has documented appropriate content in relation to one or more of the continuing education categories and registrant classifications set forth in the administrative rules promulgated pursuant to 1986 PA 54.

It is the recommendation of Bureau staff that the programs submitted pursuant to the provisions of Act 54 be approved by the Commission.

SDF/kld

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Explanatory notes to accompany BCC 2008 Approved Continuing Education Program List:

DOCUMENT #08-17

* Registrants holding one or more Inspector classification are required to attend Technical and Specialty training to be eligible for reregistration at the end of the present code cycle. If that is successfully accomplished, there are no additional Technical or Specialty credits necessary to also become eligible for reregistration as either a Building Official and/or Plan Reviewer. A person who is registered **only** as a Building Official and/or Plan Reviewer **without any Inspector classification** will receive the listed Technical and/or Specialty credit towards reregistration qualification for attending this program.

Specialty approvals are granted for one of the four Inspector (trade) classifications. Inspectors receive credits only for attending programs associated with their trade; a Mechanical Inspector does not satisfy those requirements by attending a Building, Electrical or Plumbing program. Someone registered **only** as a Building Official and/or Plan Reviewer **without any Inspector classification** will receive credit for all Specialty programs attended, regardless of the trade(s).

Technical approvals are granted for programs addressing a specific code. Inspectors receive Technical credit only for programs addressing the code they enforce. Someone registered **only** as a Building Official and/or Plan Reviewer without any Inspector classification will receive credit for all Technical programs **in their cycle** which they attended, regardless of the trade.

** Programs approved for Plan Review credits satisfy unique requirements placed on Plan Reviewer registrants. Even though the title of an individual program may refer to a specific trade or code, all Plan Review program credits apply to any Plan Reviewer.

**** Credit for documented participation in/attendance at formal code change hearings conducted and reported by a nationally recognized code-promulgating organization will be recognized when the subject is a code enforced by the registrant. Credit is granted in one-hour increments and is divided between Technical and Specialty. The first hour is Technical, the second Specialty, the third Technical, the fourth Specialty, etc. Seven hours would be credited as four Technical and three Specialty, for example.

ISC = Independent Study Course

I = Internet Course

Program Number	Credit Hours					Contact	Organization	Phone	Title
	Admin	Comm	Spec	Tech	PR	Classification			
14034				15		Et*	Jerry Rosier	(989) 797-0852	2005 Electrical Code Update
14035			3			Et*	Gerald E. Tuggle	(800) 599-5099	Deck Framing Connection Workshop
14036				6		Et*	Thomas Meyers	(303) 400-6564	Building Area, Fire Area, & Mixed Occupancy Program
14037				6		Et*	Thomas Meyers	(303) 400-6564	2006 International Building Code-Multi-Family
14038				2		ALL	Henry L. Green	(517) 241-9302	1-Codes and Green Building (One Time Only)
14039			1		1	Et*, Et*, PR**	Daniel G. Decker	(517) 782-9817	Plan Review and Inspections of Fire Alarm Systems
14040				3		Et*	Eli Howard	(248) 649-5443	HVAC Duct Construction Standards
14041				8		Et*	Renee McDonough	(586) 219-9942	Types of Construction and Height and Area Limitations
14042		3				ALL	Kimberly Riley	(888) 422-7233	Communications for Code Administration
14043				2	1	Et*, PR**	John Ernst, P.E.	(989) 732-3584	Wood Truss Installation Failures
14044		2				ALL	Howard Asch	(517) 319-6857	Basic Spanish Terms for Code Officials
14045					3	PR**	Warren M. Wisner	(734) 475-2425	Standards & Specifications for Fillings & Piping from the 2003 Michigan Plumbing Code & the 2003 International Fuel Gas Code
14046				15		Et*	Gordon L. Deisler	(989) 288-2011	Electrical Code Update Class-2005
14047	4					ALL	Gordon L. Deisler	(989) 288-2011	Legal Aspects of Code Administration
14048				4		Et*	Warren Olsen	(847) 697-1300	2006 Michigan Building Code-Changes in Fire Alarm System Requirements & the 2002 National Fire Alarm Code (One Time Only)
14049				2		Et*	Robert France	(313) 884-4958	Electrical Code Questions & Answers (One Time Only)
14050			12			Et*	Kimberly Riley	(888) 422-7233	2006 IRC-Performing Residential Building Inspections
14051			6			Et*	Kimberly Riley	(888) 422-7233	2006 IRC-Performing Residential Electrical Inspections
14052			6			Et*	Kimberly Riley	(888) 422-7233	2006 IRC-Performing Residential Mechanical Inspections
14053			6			Et*	Kimberly Riley	(888) 422-7233	2006 IRC-Performing Residential Plumbing Inspections
14054			6			Et*	Kimberly Riley	(888) 422-7233	2008 Fire Prevention Symposium-2006 IBC-Solving Means of Egress in Commercial Buildings (One Time Only)

Program Number	Credit Hours					Contact	Organization	Phone	Title
	Admin	Comm	Spec	Tech	PR				
14055			6			Kimberly Riley	International Code Council	(888) 422-7233	2008 Fire Prevention Symposium-2006 IBC Fire Protection Systems (One Time Only)
14056			6			Kimberly Riley	International Code Council	(888) 422-7233	2008 Fire Prevention Symposium-2006 IBC/IFC Hazardous Materials (One Time Only)
14057					6	Kimberly Riley	International Code Council	(888) 422-7233	2006 IRC, Performing Residential Plan Reviews
14058			2			Larry Lehman	BCC-Building Division	(517) 241-9317	State of Michigan Premanufactured Units
14059				3		Larry Lehman	BCC-Building Division	(517) 241-9317	2006 Michigan Rehabilitation Code
14060	1			1		Ken Davis		(616) 560-0804	Article 600, Electrical Signs and Outline Lighting
14061				15		Richard T. Collins		(248) 922-5837	15 Hour-National Electrical Code Update Course
14062				3		Kimberly Riley	International Code Council	(888) 422-7233	2008 Webinar-2006 IBC Solving Means of Egress Issues in Commercial Buildings
14063				1		David Vallier	Cooper Bussman	(586) 201-1348	Fusology
14064					1	David Vallier	Cooper Bussman	(586) 201-1348	Elevator Codes & Standards
14065				3		John Calvert	Southeastern Michigan Plumbing Inspectors Association	(734) 845-0805	2003 MPC Venting (One Time Only)
14066				15		Ronald Michaelis	South Bend & Vicinity Electrical	(574) 233-1721	Electrical Inspectors-15 Hour Update
14067			12	12		Ronald Michaelis	South Bend & Vicinity Electrical	(574) 233-1721	Soars Grounding 2005
14068	1			4		Ivory B. Sims, Jr.	I-Sims Code Prep Classes	(734) 845-0798	5 Hour Code Update Class for Plumbing Inspectors
14069				15		Sue Nanninga		(715) 586-4487	National Electrical Code-15 Hour Update
14070			6			Sue Nanninga		(715) 586-4487	NEPA 70E, Arc Flashing-How They Affect Inspectors
14071					4	William Moy	MMIA	(248) 649-5443	Mechanical Plan Review-Commercial and Industrial Applications
14072			3			Vernon Pappas	MMIA	(248) 649-5443	Geothermal Systems
14073				3		Michael Ogletree	City of Detroit	(313) 224-3181	International Fuel Gas Code 2006, Chapter 7
14074				6		Michael Ogletree	City of Detroit	(313) 224-3181	International Fuel Gas Code 2006, Chapter 5-6
14075				6		Michael Ogletree	City of Detroit	(313) 224-3181	International Fuel Gas Code 2006, Chapter 3-4
14076	4					Michael Ogletree	City of Detroit	(313) 224-3181	International Fuel Gas Code 2006, Chapter 1-2

Program Number	Credit Hours				Contact	Organization	Phone	Title
	Admin	Comm	Spec	Tech				
14077				6	Michael Ogletree	City of Detroit	(313) 224-3181	The Michigan Mechanical Code 2006- Chapters 13-14
14078				6	Michael Ogletree	City of Detroit	(313) 224-3181	The Michigan Mechanical Code 2006- Chapters 11 & 15
14079				6	Michael Ogletree	City of Detroit	(313) 224-3181	The Michigan Mechanical Code 2006- Chapters 10-12
14080				6	Michael Ogletree	City of Detroit	(313) 224-3181	The Michigan Mechanical Code 2006- Chapter 9
14081				6	Michael Ogletree	City of Detroit	(313) 224-3181	The Michigan Mechanical Code 2006- Chapters 7-8
14082				6	Michael Ogletree	City of Detroit	(313) 224-3181	The Michigan Mechanical Code 2006- Chapters 5-6
14083				6	Michael Ogletree	City of Detroit	(313) 224-3181	The Michigan Mechanical Code 2006- Chapters 3-4
14084	4				Michael Ogletree	City of Detroit	(313) 224-3181	The Michigan Mechanical Code 2006- Chapters 1-2



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

DOCUMENT #08-18

February 13, 2008

TO: Members of the Construction Code Commission

FROM: Scott D. Fisher, Director *MS for*
Office of Local Government and Consumer Services

SUBJECT: Continuing Education Instructor Applications

Attached is a list of those individuals who have applied for approval as instructors of continuing education programs required of building officials, inspectors, and plan reviewers. The instructors listed are approved for the cycle beginning September 17, 2006 through September 16, 2009.

Each has documented training and experience in the topic which they propose to teach.

It is the recommendation of Bureau staff that they be approved as instructors by the Commission.

SDF/kld

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MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH

BUREAU OF CONSTRUCTION CODES

New Instructor Applications for Approval 12/13/2007 thru 02/12/2008

Instructor Number	Applicant Name	Affiliation/Experience
1763	France, Robert M	
1766	Smith, Eddie L	
1764	Davis, Kenneth R	
1765	Collins, Richard T	

New Apps for Approval: 4

MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH

BUREAU OF CONSTRUCTION CODES

Renewal Instructor Applications for Approval: 12/13/2007 thru 02/12/2008

Instructor Number	Applicant Name	Affiliation/Experience
----------------------	----------------	------------------------

1089	Logan, Robert	
1325	Michaelis, Ronald	
1326	Mutti, Rodger A	
1178	Sims, Ivory B	
1524	Nanninga, Sue A	
1526	Pappas, Vernon	

Renewal Apps for Approval: 76



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

Document #08-19a-e

February 13, 2008

TO: Members of the Construction Code Commission

FROM: Scott D. Fisher, Director *MS / i2*
Office of Local Government and Consumer Services

SUBJECT: Inspector Registration Applicants

Attached you will find lists of applicants for provisional registration as building officials, building inspectors, plan reviewers, electrical inspectors, and mechanical inspectors. Document #08-19a, b, and c, are lists of applicants for provisional registration as building officials, building inspectors, and plan reviewers. Document #08-19d is a list of applicants for provisional registration as electrical inspectors presented to the Electrical Administrative Board on February 1, 2008. Document #08-19e is an applicant for provisional registration as a mechanical inspector presented to the Board of Mechanical Rules on January 23, 2008

SDF/jlp

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BUILDING OFFICIALS

03/05/08 ccc

ANDERSON, Eric S.
Registered as Building Inspector/Plan Reviewer #003803 (2/1997)
Additional Building Official
Northville Charter Township – Wayne County

ELIAS, Douglas J.
Registered as Mechanical, Plumbing Inspector/Plan Reviewer (5/2000)
Additional Building Official
Rolland Township – Isabella County

HILL, James E.
Registered as Electrical Inspector/Plan Reviewer #004322 (11/1999)
Replacing Carl Brown (Registration #004563)
City of Ecorse – Wayne County

KOZAK, Thomas M.
Registered as Building, Mechanical, Plumbing Inspector/Plan Reviewer #003108 (11/1993)
Additional Building Official
Gaines Township – Kent County

ROBERTS, William A.
Registered as Building, Electrical Inspector/Plan Reviewer #005159 (12/2004)
Additional Building Official
City of Inkster – Wayne County

SARB, Michael T.
Registered as Building Inspector/Plan Reviewer #004544 (9/2000)
Additional Building Official
Northville Township – Wayne County

SCHNEIDER, Justin J.
Registered as Building Inspector/Plan Reviewer #005035 (10/2003)
Additional Building Official
Gladwin County

VANBUSKIRK, Barry
Registered as Building, Electrical Inspector/Plan Reviewer #005308 (2/2006)
Additional Building Official
Grant Township – Clare County

BUILDING INSPECTORS

03/05/08 ecc

HIPPE, II, Jack G.
Residential Builder License #2101133409 (6/1996)
13,840+ hours as Carpenter
Additional Inspector
City of Flint – Genesee County

PATTERSON, James R.
12,480+ hours as Carpenter
Additional Inspector
City of Flint – Genesee County

PLAN REVIEWERS

03/05/08 ccc

ANDREWS, Michael M.
Registered as Electrical Inspector #005048 (1/2004)
Replacing Randy Bates (Registration #004744)
City of Grand Rapids – Kent County

CONSTABLE, Edwin J.
Registered as Electrical Inspector #002487 (10/1990)
Additional Plan Reviewer
City of Benton Harbor – Berrien County

GREEN, Alan C.
Master Electrical License #6214355 (7/2006)
Replacing Anthony Tomison (Registration #005345)
North Branch Township – Lapeer County

HIPPE, II, Jack G.
Residential Builder License #2101133409 (6/1996)
13,840+ hours as Carpenter
Additional Plan Reviewer
City of Flint – Genesee County

MORGAN, LeRoy
Registered as Building Inspector #005353 (7/2006)
Additional Plan Reviewer
City of Inkster – Wayne County

PATTERSON, James R.
12,480+ hours as Carpenter
Additional Plan Reviewer
City of Flint – Genesee County

PROGHOVNICK, Lawrence M.
Master Electrical License #6211939 (1/2002)
Additional Plan Reviewer
City of Southfield – Oakland County

WISSMILLER, George R.
Master Electrical License #6202961 (1/1983)
Replacing Dale Zygiel (Registration #004820)
Arenac County

ELECTRICAL INSPECTORS

02/01/08 eab

03/05/08 ccc

GREEN, Alan C.

Master License #6214355 (7/2006)

Replacing Anthony Tomison (Registration #005345)

North Branch Township – Lapeer County

PROGHOVNICK, Lawrence M.

Master License #6211939 (1/2002)

Additional Inspector

City of Southfield – Oakland County

RENDER, Bernard A.

Journeyman License #6329401 (1/2005)

Additional Inspector

Village of Oxford – Oakland County

WISSMILLER, George R.

Master License #6202961 (1/1983)

Replacing Dale Zygiel (Registration #004820)

Arenac County

MECHANICAL INSPECTORS

01/23/08 bmr

03/05/08 ccc

KLUG, Brian A.

Contractors License #7112722 (12/1998)

Classifications 1, 2, 3, 5, 6 & 7

8,000+ hours HVAC

Additional Inspector

Plainfield Township – Iosco County



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

Document #08-21

February 14, 2008

TO: Members of the Construction Code Commission
FROM: Henry L. Green, Hon. AIA */H LG/ H LG*
SUBJECT: Application for Registration as Building Inspector – Charles T. Partyka

Findings

Mr. Charles T. Partyka applied for provisional registration as a plan reviewer in August of 2004, and was subsequently approved as a plan reviewer in November of 2004.

Mr. Partyka then applied for registration as a building official in September of 2007, and was subsequently approved as such in January of 2008.

On September 24, 2007, Mr. Partyka also applied for registration as a building inspector for Emmet County.

Mr. Partyka's application showed the following experience: (Exhibit A)

1. Employer – Emmet County
Job Title – Plan Reviewer
Date of Employment – October 4, 2004 – Present
Duties – Plan Reviewer, Administration, Customer Service (100%).
2. Employer – Fuller Nichols Architects
Job Title – Field Administrator
Date of Employment – July 5, 1989 – October 31, 2004
Duties – Field administration: In charge of construction projects from bidding to completion, all phases of work/all trades (50%); CAD Drafting/Production: Prepare complete working drawings, specification writing, bid documents, contracts, agency submittals (50%).

Providing for Michigan's Safety in the Built Environment

BUREAU OF CONSTRUCTION CODES
P.O. BOX 30254 • LANSING, MICHIGAN 48909
Telephone (517) 241-9302 • Fax (517) 241-9570

3. Employer – Self
 Job Title – Builder/Contractor
 Date of Employment – May 1, 2002 – December 20, 2002
 Duties – Constructed 2,330 square foot residence. Participated in all phases, all work, all trades. (100%)
4. Employer – Self
 Job Title – Builder/Contractor
 Date of Employment – June 1, 1997 – October 1, 1997
 Duties – Constructed 1,344 square foot story and a half garage. Did all trades, all work. (100%)

Included with Mr. Partyka's application was a list of hours worked on his personal garage and residence, and other miscellaneous building projects, as well as, a list of projects he was in charge of while employed with Fuller Nichols Architects.

Mr. Partyka also included a copy of his Associate Degree in Applied Science certificate issued by Alpena Community College on May 13, 1976. Mr. Partyka's original application submitted in August of 2004 included a copy of his grade report from Alpena Community College, dated May 31, 1976, showing course descriptions as Drafting, Strength Material, and Technical Math. (Exhibit B)

Also, included was a letter from Jill A. Hewitt, Registered Architect, Fuller Nichols Architects, dated August 6, 2004, describing Mr. Partyka's employment as a "Field Administrator" which included 50% in-house production, and 50% hands on field administration involving daily/weekly inspections and review of all construction phases to assure compliance with all plans, specifications, codes and ordinances.

On October 3, 2007, Mr. Partyka's application and accompanying information was forwarded to the Building Division for review. The Building Division notified the Office of Local Government & Consumer Services on October 3, 2007, that the documentation regarding Mr. Partyka's experience did not provide adequate information showing that he met the requirements of Rule 37 for provisional registration as a building inspector.

On October 5, 2007, the Bureau forwarded a letter to Mr. Partyka requesting additional information regarding his structural construction experience for review and consideration as a building inspector. (Exhibit C)

On December 21, 2007, the Bureau received a letter from Mr. Partyka which included Rule 37, in part, and the definition of "contractor". Mr. Partyka provided an analysis of his experience as it applies to both, as well as, copies of his application and all information previously submitted. (Exhibit D)

On December 26, 2007, Mr. Partyka's letter and accompanying information was forwarded to the Building Division for review. The Building Division notified the Office of Local Government & Consumer Services on December 27, 2007, that Mr. Partyka's experience did not meet the requirements of Rule 37, and therefore was being denied for provisional registration as a building inspector.

Rule 37 of the rules governing registration of building officials, plan reviewers, and inspectors states:

R 408.30037 Building inspector; experience.

Rule 37. (1) An applicant for registration as a provisional building inspector shall be qualified as specified in either of the following provisions:

- (a) Have not less than 4 years of experience obtained over a period of 12 years preceding the date of the application for provisional registration in 1 or more of the following categories:
 - (i) A licensed residential builder under the provisions of Act No. 299 of the Public Acts of 1980, as amended, being §399.101 et seq. of the Michigan Compiled Laws, who has been actively engaged in the construction business for not less than 4 years.
 - (ii) A contractor who has been actively engaged in the construction business for not less than 4 years. This category does not include a person who is licensed as a contractor under Act No. 217 of the Public Acts of 1956, as amended, Act No. 266 of the Public Acts of 1929, as amended, or Act No. 192 of the Public Acts of 1984, as amended, being §338.971 et seq. of the Michigan Compiled Laws, respectively.
 - (iii) A maximum of two years of experience as a skilled worker in 1 of the following disciplines may count towards the 4 years experience required in this subdivision.
 - (a) Structural carpentry.
 - (b) Structural masonry.
 - (c) Structural steel erection.
 - (d) Structural concrete construction.
- (b) Possess a license as an architect or engineer under the provisions of Act No. 299 of the Public Acts of 1980, as amended, being §339.101 et seq. of the Michigan Compiled Laws.

- (2) A person who has completed a recognized curriculum at an institution of higher education in a construction-related field shall be deemed to have met the experience requirement for not more than 2 of the 4 years of experience required in subrule (1)(a) of this rule for registration as a provisional building inspector.
- (3) An applicant who meets the requirements of this rule shall be deemed qualified for registration as a building inspector, subject to the provisions of section 12(2) of the act.
- (4) An applicant shall submit, with an application, documentation of his or her experience. The documentation may consist of any of the following:
 - (a) An affidavit.
 - (b) Notarized Letters
 - (c) Copies of licenses.
 - (d) A job description from a present or former employer.
 - (e) A permit history from authorized enforcing agencies.
 - (f) Other information.

On January 14, 2008, the bureau forwarded a letter to Mr. Partyka indicating that his application for provisional registration as a building inspector was being denied. The letter also advised Mr. Partyka of his right to appeal that decision. (Exhibit E)

On January 22, 2008, the bureau received a letter from Mr. Partyka, via facsimile, requesting an appeal before the Construction Code Commission. (Exhibit F)

On January 28, 2008, the bureau sent a letter to Mr. Partyka, acknowledging his request for an appeal. The letter advised Mr. Partyka that the Construction Code Commission would hear his appeal on March 5, 2008. (Exhibit G)

On February 8, 2008, the bureau received a letter from Mr. Partyka dated January 30, 2008. Included with the letter was verification of his employment and job duties with Fuller Nichols Architects, indicating that one half of Mr. Partyka's time consisted of direct supervision over projects under construction. Also included was information obtained from Alpena Community College, via the internet, providing an overview of the requirements for achieving the Associates Degree in Drafting and Design Technology. (Exhibit H)

On February 19, 2008, the bureau sent a letter to Mr. Partyka acknowledging receipt of the information received on February 8, 2008. The letter also indicated that Mr. Partyka had been given 2,080 hours credit for his Associate Degree in Applied Science. (Exhibit I)

Conclusion

The information provided in Mr. Partyka's application for registration and additional documentation indicates that his experience was that of a field administrator, providing daily and/or weekly inspections and reviews of all construction phases assuring compliance with plans, specifications, codes, and ordinances, which does not appear to meet the requirements of Rule 37 for provisional registration as a building inspector.

Mr. Partyka's self employment as a builder/contractor, as described on his application and accompanying documentation, from June 1, 1997, to October 1, 1997, and May 1, 2002, to December 20, 2002, working 40 plus hours per week, consists of work he performed on his private garage and residence; and therefore, cannot be considered toward the requirements of Rule 37.

Mr. Partyka also indicated that he worked on multiple miscellaneous projects from 1998 to 2003, i.e., help construct seasonal cabin, help with renovation and reroofing, set trusses and build roof/garage. A search of licensing records of the Bureau of Commercial Services did not indicate that Mr. Partyka is, or was, licensed as a residential builder. Therefore, these projects cannot be considered.

Mr. Partyka provided a copy of his Associate Degree in Applied Science certificate. Documentation provided with his original application submitted in August of 2004, indicates a limited number of classes taken were that of Drafting, Strength Material, and Technical Math. However, as a result of the additional information provided, via the internet from Alpena Community College regarding the associate degree, Mr. Partyka was given credit for 1 year (2,080 hours) toward the minimum requirements for provisional registration as a building inspector.

Although Mr. Partyka demonstrated experience in the construction industry, most of which was as a field administrator, it does not appear that his experience meets the requirements of four years of experience as a licensed residential builder who has been actively engaged in the construction business, a building contractor, skilled worker, a licensed architect or engineer, a person who has completed a recognized curriculum at an institution of higher education, or a combination thereof, obtained over the 12 years prior to the date of his application, as required by Rule 37 of the rules governing the registration of building officials, plan reviewers, and inspectors.

Recommendation

It is recommended that the application of Charles T. Partyka, for provisional registration as a building inspector, be denied.

HLG/dmp

Attachments:	Exhibit A	Mr. Partyka's Application for Registration as Building Inspector
	Exhibit B	Copy of Grade Report from Alpena Community College dated May 31, 1976
	Exhibit C	BCC Letter to Mr. Partyka dated October 5, 2007
	Exhibit D	Letter from Mr. Partyka received December 21, 2007
	Exhibit E	BCC Letter to Mr. Partyka dated January 14, 2008
	Exhibit F	Letter of Appeal from Mr. Partyka received January 22, 2008
	Exhibit G	Letter of Acknowledgement to Mr. Partyka dated January 28, 2008
	Exhibit H	Letter and Additional Documentation from Mr. Partyka received February 8, 2008
	Exhibit I	Letter to Mr. Partyka dated February 19, 2008

cc: Charles T. Partyka
Lyn Johnson, County Controller, County of Emmet
Martin Van Berlo, Building Official, County of Emmet
Brent Michalek, Director of Planning, Zoning and Construction Resources, County of Emmet

EXHIBIT A

Mr. Partyka's Application for Registration as Building Inspector

Application for Registration of Building Officials,
Code Inspectors and Plan Reviewers
Michigan Department of Labor & Economic Growth
Bureau of Construction Codes
Office of Local Government and Consumer Services
P.O. Box 30255, Lansing, MI 48909
517-241-9347
www.michigan.gov/bcc

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Authority: 1986 PA 64 Completion: Mandatory to be registered Penalty: May not be employed as a building official, code inspector or plan reviewer	The Department of Labor & Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability or political beliefs. If you need help with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this agency.
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Act 54 of 1986 and the Building Official, Plan Reviewers, and Inspector Registration Rules requires all building officials, plan reviewers, building, electrical, mechanical and plumbing inspectors to apply for registration with the Construction Code Commission within 30 days of employment. To register, an applicant shall complete and submit this form to the Construction Code Commission at the above address with the employment record and correct fee. This application must be completed in its entirety and include required supporting documentation. Incomplete applications cannot be processed and will be returned to the applicant.

☐ New Applicant ☒ Currently Registered - Registration Number 005156

Applicant Information

NAME (Last, First, Middle) PARTYKA CHARLES THOMAS		SOCIAL SECURITY NUMBER [REDACTED]	
HOME ADDRESS 4686 W. LAKE ROAD			
CITY HARBOR SPRINGS	COUNTY EMMET	STATE MICHIGAN	ZIP CODE 49740

Listed below are the registration classifications. Indicate the classifications for which you are seeking registration by placing a check mark in the appropriate box or boxes.

<input type="checkbox"/> 1. "Building Official" means a construction code enforcement person working as an inspector or plan reviewer or actively engaged in the administration and enforcement of adopted building, electrical, mechanical or plumbing codes, or any combination of these codes. <i>Prerequisite: Registration as an inspector or plan reviewer for two years.</i>																		
<input checked="" type="checkbox"/> 2. "Inspector" means the person responsible for the administration and enforcement of the construction of buildings, structures or appurtenances under the requirements of the applicable building, electrical, mechanical or plumbing code administered and enforced within the jurisdiction of the employing enforcing agency. Indicate which trade or trades you will be inspecting and provide your license number and class (Contractor, Master or Journey) if appropriate. Include a copy of all licenses issued by the State of Michigan or the local licensing authority. <table border="1"><thead><tr><th>Category</th><th>License #</th><th>Class</th><th>Category</th><th>License #</th><th>Class</th></tr></thead><tbody><tr><td><input checked="" type="checkbox"/> Building</td><td></td><td></td><td><input type="checkbox"/> Mechanical</td><td></td><td></td></tr><tr><td><input type="checkbox"/> Electrical</td><td></td><td></td><td><input type="checkbox"/> Plumbing</td><td></td><td></td></tr></tbody></table>	Category	License #	Class	Category	License #	Class	<input checked="" type="checkbox"/> Building			<input type="checkbox"/> Mechanical			<input type="checkbox"/> Electrical			<input type="checkbox"/> Plumbing		
Category	License #	Class	Category	License #	Class													
<input checked="" type="checkbox"/> Building			<input type="checkbox"/> Mechanical															
<input type="checkbox"/> Electrical			<input type="checkbox"/> Plumbing															
<input type="checkbox"/> 3. "Plan Reviewer" means a person engaged in the practice of examining construction documents for the purpose of determining compliance with applicable codes. Indicate the type of plan review you will be performing. <table border="1"><tbody><tr><td><input type="checkbox"/> Building</td><td><input type="checkbox"/> Electrical</td><td><input type="checkbox"/> Mechanical</td><td><input type="checkbox"/> Plumbing</td></tr></tbody></table>	<input type="checkbox"/> Building	<input type="checkbox"/> Electrical	<input type="checkbox"/> Mechanical	<input type="checkbox"/> Plumbing														
<input type="checkbox"/> Building	<input type="checkbox"/> Electrical	<input type="checkbox"/> Mechanical	<input type="checkbox"/> Plumbing															

*This information is confidential. Disclosure of confidential information is protected by the Federal Privacy Act.

AGENCY USE ONLY

Submit \$10.00 for each classification for each year of the current code cycle for which you are seeking registration.

\$ <u>20.00</u>	Total Fee
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Make check or money order payable to
State of Michigan

Code Enforcement Employment Verification (To be completed by the elected official or designee)

(If employed by more than one unit of government, attach additional sheets)

UNIT OF GOVERNMENT EMMET COUNTY	COUNTY EMMET	Date of Hire: 10/04/04
STREET ADDRESS 200 Division St.	TELEPHONE NUMBER (Include Area Code) 231-348-1735	INDICATE CODE AND EDITION CURRENTLY BEING ENFORCED
CITY Petoskey	STATE MI	ZIP CODE 49770
		Building 2003 Mich Codes
		Electrical ↓
		Mechanical ↓
		Plumbing ↓

DESCRIPTION OF DUTIES TO BE PERFORMED AS A CODE OFFICIAL
BUILDING INSPECTIONS, PLAN REVIEW, BUILDING CODE ENFORCEMENT

Is this applicant replacing a previously registered inspector? ☐ Yes ☒ No

NAME OF PERSON BEING REPLACED	REGISTRATION NUMBER	DATE EMPLOYMENT TERMINATED

I hereby certify the applicant is in the employment of this unit of government, performing the type of work described on this application.

PRINT OR TYPE NAME OF ELECTED OFFICIAL OR DESIGNEE LYN JOHNSON	TITLE COUNTY CONTROLLER
SIGNATURE OF ELECTED OFFICIAL OR DESIGNEE <i>[Signature]</i>	DATE 9/4/07

Code Enforcement History Verification

Are you or have you previously been employed as a building official, code inspector or plan reviewer? ☒ Yes ☐ No

UNIT OF GOVERNMENT (Attach a list if more than four) EMMET COUNTY	DATES OF EMPLOYMENT 10-04-04 TO PRESENT
UNIT OF GOVERNMENT	DATES OF EMPLOYMENT
UNIT OF GOVERNMENT	DATES OF EMPLOYMENT
UNIT OF GOVERNMENT	DATES OF EMPLOYMENT

An applicant for registration as an electrical or plumbing inspector shall indicate their license number on the front of this form and **must attach a copy of their license.**

An applicant for building inspector or plan reviewer, who holds a Michigan residential builder, maintenance and alteration, or architect or engineer license, shall indicate their license number on the front of this form and **must attach a copy of their license.**

An applicant for mechanical inspector who holds a Michigan mechanical contractor license shall indicate their license number on the front of this form and **must attach a copy of their license.**

All applicants must complete the attached Employment Record. List all work experience starting with your most recent employment and working backwards. Provide a *detailed description* of regularly assigned, ongoing duties for each job; include percentage of time spent on each duty. Attach additional sheets if necessary. Each form shall be signed by the employer or supervisor.

Qualifications for registration are evaluated by reviewing the employment records to determine that the applicant meets the minimum requirements set forth in the Construction Code Commission Rules providing standards for provisional registration, specifically, Rules 31 through 49. (Please note that Rule 37 requires 4 years of combined experience. 2,080 documented hours of field experience will be considered equal to 1 year.) Copies of the rules are available from the Michigan Department of Labor and Economic Growth, Bureau of Construction Codes

All forms and attachments to the application shall be identified with your name and social security number.

Applicant Certification and Signature

I hereby certify all information contained in this application is true and complete. I agree and understand any falsification of material fact will result in my forfeiting any rights to consideration for registration under the provisions of 1986 PA 54 and the associated administrative rules.

SIGNATURE OF APPLICANT <i>Charles V. Partz</i>	DATE 8-31-07
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Employment Record

To ensure your application is processed in a timely manner, please refer to the instructions attached to this application for documentation requirements. Provide a detailed description of regularly assigned, ongoing duties for each job, including percentage of time spent on each duty. Attach additional sheets if necessary.

EMPLOYER FULLER NICHOLS ARCHITECTS		JOB TITLE FIELD ADMINISTRATOR	
STREET ADDRESS 297 WEST LAKE ROAD		DATES OF EMPLOYMENT (MONTH/DAY/YEAR) FROM: 7-5-1989 TO: 10-31-04	AVERAGE HOURS PER WEEK 40
CITY HARBOR SPRINGS		STATE MICHIGAN	ZIP CODE 49740
Percentage	Description of Your Duties		
± 50%	FIELD ADMINISTRATION: IN CHARGE OF CONSTRUCTION PROJECTS (SEE LIST) FROM BIDDING TO COMPLETION, ALL PHASES OF WORK/ALL TRADES.		
± 50%	CAD DRAFTING/PRODUCTION: PREPARE COMPLETE WORKING DRAWINGS, SPECIFICATION WRITING, BID DOCUMENTS, CONTRACTS, AGENCY SUBMITTALS.....		
%	(SEE ATTACHED PROJECT LIST)		
%			
%			
100%	SUPERVISOR'S SIGNATURE JILL A. HEWITT, ARCHITECT		TELEPHONE NUMBER (Include Area Code) W 231-526-2144

EMPLOYER EMMETT COUNTY		JOB TITLE PLAN REVIEWER	
STREET ADDRESS 3434 HARBOR POTOSKY RD - SUITE E		DATES OF EMPLOYMENT (MONTH/DAY/YEAR) FROM: 10-4-04 TO: PRESENT	AVERAGE HOURS PER WEEK 40
CITY HARBOR SPRINGS		STATE MICHIGAN	ZIP CODE 49740
Percentage	Description of Your Duties		
100%	PLAN REVIEWER, ADMINISTRATION, CUSTOMER SERVICE		
%			
%			
%			
%			
100%	SUPERVISOR'S SIGNATURE		TELEPHONE NUMBER (Include Area Code) 231-348-1735

Employment Record

EMPLOYER SELF CHUCK PARTYKA		JOB TITLE BUILDER/CONTRACTOR	
STREET ADDRESS 4686 W. LAKE ROAD		DATES OF EMPLOYMENT (MONTH/DAY/YEAR) FROM 6-1-97 TO 10-1-97	AVERAGE HOURS PER WEEK 40
CITY HARBOR SPRINGS		STATE MICHIGAN	ZIP CODE 49740
Percentage	Description of Your Duties		
100 %	CONSTRUCTED NEW 1344 SQ. FT. STORY AND HALF GARAGE. DID ALL TRADES / ALL WORK.		
%			
%			
%			
%			
100%	SUPERVISOR'S SIGNATURE CHUCK PARTYKA		

EMPLOYER SELF CHUCK PARTYKA		JOB TITLE BUILDER/CONTRACTOR	
STREET ADDRESS 4686 W. LAKE ROAD		DATES OF EMPLOYMENT (MONTH/DAY/YEAR) FROM 5-1-02 TO 12-20-02	AVERAGE HOURS PER WEEK 40 +
CITY HARBOR SPRINGS		STATE MICHIGAN	ZIP CODE 49740
Percentage	Description of Your Duties		
100 %	CONSTRUCTED NEW 2330 SQ FT RESIDENCE. PARTICIPATED IN ALL PHASES, ALL WORK, ALL TRADES.		
%			
%			
%			
%			
100%	SUPERVISOR'S SIGNATURE CHUCK PARTYKA		

If necessary, make additional copies of this form.

CONSTRUCTION HOURS BREAKDOWN:

BUILD OWN GARAGE (1997) = 640 HOURS (4 MONTHS)

BUILD OWN RESIDENCE (2002) = 960 HOURS (6 MONTHS)

* MISC. BLDG. PROJECTS (1998-2003) = 120 HOURS

ASSOC. DEGREE ALPENA COMM. COLLEGE = 2080 HOURS

** FULLER NICHOLS ARCHITECTS = 9360 HOURS (1040/YR/9 YR)

TOTAL CONTRACTOR HOURS = $13,160 \div 2080 = 6.3$ YEARS

ACTIVE EXPERIENCE IN LAST 12 YEARS

* 1998 - ALPENA, HELP CONSTRUCT SEASONAL CABIN 20 HOURS

2000 - ALANSON, HELP w/ RENOVATION & ROOFING 20 HOURS

2001 - NAMAH, HELP CONSTRUCT SEASONAL CABIN 40 HOURS

1999 - GAYLORD, SET TRUSSES BUILD ROOF/ATT GAR. 20 HOURS

2003 - GAYLORD, SET TRUSSES BUILD ROOF/GAR. 20 HOURS

** BREAKDOWN OF PROJECTS WHILE WORKING FOR
FULLER NICHOLS ARCHITECTS THAT I WAS IN
CHARGE OF CONSTRUCTION ADMINISTRATION.

SCHOOLS: INLAND LAKES SCHOOLS, ROGERS CITY SCHOOLS,
HARBOR LIGHT SCHOOL, WOLVERINE SCHOOLS,
PELLSTON SCHOOLS, HARBOR SPRINGS SCHOOLS,
JOHANNESBURG/LEWISTON SCHOOLS

HOSPITALITY: BAYSHORE MOTEL, QUALITY INN LAKEFRONT,
THE GRAND BEACH MOTEL, QUALITY INN of MACKINAW
CITY, THE APPLE TREE INN, ECONO-LODGE, CHATEAU
LA FRAIBOISE, CHIPPEWA HOTEL, BAYVIEW MOTEL,
DAYS INN, SUGAR BEACH MOTEL, BEST WESTERN
HOUGHTON LAKE, STONECLIFFE MANOR, PONDHOUSE
MOTEL @ STONECLIFFE, INLAND HOUSE MOTEL, THE
GRAND MACKINAW MOTEL, THE CHERRY TREE INN

GENERAL/OTHER : SUTTONS BAY YACHT CLUB, ONAWAY
MEDICAL CLINIC, CLOVERLAND ELECT. CO
CHEBOYGAN SOCIAL SERVICES BLDG., N.M.
HOSPITALS, FIRST COMMUNITY BANK(S),
HARBOR SPRINGS DPW, BAY HARBOR
EQUESTRIAN CENTER, PELLSTON AIRPORT,
VICTORIES CASINO PROJECT(S), ST.
FRANCIS X CREDIT UNION(S), MANY
HIGH END RESIDENTIAL PROJECTS.



Fuller Nichols Architects

Architecture • Design • Landscape Design

American Institute of Architects

August 6, 2004

Dear Sir or Madam:

Charles Partyka started work at Fuller Nichols Architects in 1989. His first day was spent as new field administrator for an 8 million school renovation project. Prior architectural field and construction experience at Donald Morgridge Architect/MEM Construction (an architectural/construction firm) had more than prepared him for the challenges of overseeing and working with the construction managers on several multimillion dollar school projects.

Over the past fifteen years I have worked closely with Charles on a variety of projects ranging from single family residences to 120 unit hotels to school additions and have appreciated his professional approach to all facets of the architectural business. His knowledge of construction methods and materials, building code requirements and field administration has been invaluable to me and the Fuller Nichols office.

Throughout his 15 years of employment with Fuller Nichols Architects Charles split his time approx. 50%-50% between in house production duties and hands-on in the field construction administration. His field responsibilities included daily/weekly inspection and review of all construction phases to assure compliance with all plans, specifications, codes and ordinances.

Most recently Charles along with William Fuller AIA served as the construction managers for a credit union project at the request of the owner. Many hours were spent daily at the site coordinating work with the subcontractors and material delivery to complete the project. Construction experience was also obtained by Charles when he undertook the total renovation of his own residence. This involved removing the existing structure and then starting with only the foundation constructing a beautiful new residence of his own design. Charles prepared the plans, obtained all permitting, assisted sub-contractor through construction, roughed-in the plumbing, mechanical, electrical systems, as well as the final finishing of the house. All of this was accomplished while still working a forty hour week at Fuller Nichols.

For all of the above reasons and because of the respect I hold for Charles' construction knowledge and abilities, I recommend him for the position of code reviewer with no hesitation. He would serve the department well.

Please feel free to contact me with any questions or clarifications you might require. I'm available at Fuller Nichols 231-526-2144 or at home 231-526-2923.

Sincerely,

A handwritten signature in cursive script that reads "Jill A. Hewitt". The signature is written in dark ink and is positioned above the printed name and address.

Jill A. Hewitt, Registered Architect

Michigan Architect License #32228

7571 S. Lake Shore Drive

Harbor Springs, Michigan 49740

Alpena Community College

Upon Nomination of the Faculty has conferred upon

Charles D. Martyska

the Degree of
Associate in Applied Science

With all the Rights Privileges and Honors thereto Appertaining.
In Witness Whereof the Seal of the College and the Signature of
its Officers are hereto affixed.

Given at Alpena, Michigan on the thirtieth day of May
in the Year Nineteen Hundred Seventy-Six

Charles D. Martyska
President, Board of Education

Margaret E. Laguard
Vice-President, Board of Education



Samuel J. Mullan
Superintendent of Schools

W. J. Stoutenburg
President of the College

EXHIBIT B

Copy of Grade Report from Alpena Community College
dated May 31, 1976

STUDENT NAME	SOCIAL SECURITY NO.
PARTYKA CHARLES T.	0067083

SEMESTER	DATE
FALL 1976	5/31/76

ALPENA COMMUNITY COLLEGE

ALPENA, MICHIGAN 49707

GRADE REPORT

PARTYKA CHARLES T.
591 CALCITE RD
ROGERS CITY

MI 49779

COURSE NUMBER	COURSE DESCRIPTION	HOURS	GRADE	NONCREDIT
DRA 222	DRAFTING	4.0	B	8.0
DRA 224	DRAFTING	4.0	B	12.0
DRA 226	DRAFTING	4.0	C	8.0
DRA 228	DRAFTING	4.0	A	16.0
IND 225	STRENGTH MATERIAL	3.0	B	9.0
MTM 116	TECHNICAL MATH	4.0	C	8.0



2RD 1 AMB OPEN
IMPORTANT:
READ REVERSE SIDE

SEMESTER TOTALS	HRG ATTENDED	HRG EARNED	HOURS RTS	GRADE PT AL
	23.0	23.0	61.0	2.652
CUMULATIVE TOTALS	76.0	73.5	193.0	2.539

STUDENT COPY

EXHIBIT C

BCC Letter to Mr. Partyka dated October 5, 2007



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

October 5, 2007

Mr. Charles T. Partyka
4686 W. Lake Rd.
Harbor Springs, MI 49740

Dear Mr. Partyka:

Your application for provisional registration as a building inspector has been reviewed.

To qualify for provisional registration as a building inspector, an applicant must provide documentation of **four years (8,320 hours)** experience in general building construction, as a residential builder, contractor, skilled worker, or a combination thereof. Two of these years may be derived from a completed curriculum at an institution of higher education in a construction related field. **The documented experience for the last 12 years immediately preceding the date of application is the only credit that can be given towards your provisional registration.** Previous inspection experience cannot be considered. A licensed architect or engineer is also considered qualified for registration as a building inspector.

The information you provided with your application, regarding your experience with Fuller-Nichols Architects, fails to establish that you possess the minimum qualifications of the Building Official, Plan Reviewers, and Inspector Registration Rules.

To determine if you qualify for provisional registration as a building inspector, you must provide information relating to your experience in structural building construction. If you were self-employed as a builder/contractor you must verify your structural experience **through building permits, inspection reports and/or letters of reference from former clients.** If reference letters are used, **they must indicate the dates service was performed, what was constructed, and the time it took to complete the project.** Please note that construction of your personal residence and/or garage cannot be considered toward the minimum requirements for provisional registration as a building inspector.

If you were employed as a skilled worker, your experience must be verified **through letters from employers on company letterhead, signed by an authorized company representative, stating job duties, percentage of time spent on each duty, dates of employment and the amount of hours worked per week.**

Providing for Michigan's Safety in the Built Environment

BUREAU OF CONSTRUCTION CODES
P.O. BOX 30254 • LANSING, MICHIGAN 48909
Telephone (517) 241-9347 • Fax (517) 241- 9308
www.michigan.gov

Mr. Charles T. Partyka

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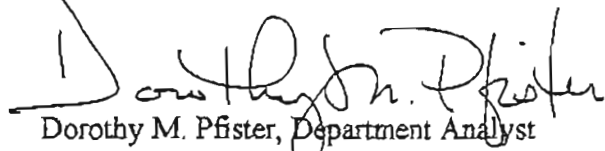
October 5, 2007

Copies of transcripts, diplomas, and licenses submitted will also be evaluated. It is noted that you included a copy of your certificate of Associate in Applied Science degree. Please provide a copy of your transcripts for consideration.

Please provide any additional information by **November 5, 2007**. If the required information is not received within the time frame specified, your application for provisional registration as a building inspector will be canceled.

If you have any questions, you may contact me at (517) 241-9347.

Sincerely,

A handwritten signature in black ink, appearing to read "Dorothy M. Pfister". The signature is fluid and cursive, with the first name "Dorothy" being more prominent.

Dorothy M. Pfister, Department Analyst
Office of Local Government & Consumer Services

cc: Lyn Johnson, County Controller, County of Emmet

EXHIBIT D

Letter from Mr. Partyka received December 21, 2007

December 5, 2007

Dorothy M. Pfister, Department Analyst
Office of Local Government & Consumer Services
Bureau of Construction Codes, PO Box 30254
Lansing, Michigan 48909

Dear Dorothy M. Pfister,

The following is in response to your letter dated 10-5-05 (copy attached) regarding the decision that the information provided with my application for building inspector failed to meet the minimum requirements as stated per rule 37.

Qualifications for inspector registration:

Building Inspector - Rule 37

(1) An applicant for registration as a provisional building inspector shall be qualified as specified in either of the following provisions:

(a) Have not less than four years of experience obtained over a period of 12 years immediately preceding the date of the application for provisional registration in one or more of the following categories:

(i) A licensed residential builder under the

(ii) A contractor who has actively been engaged in the construction business for not less than 4 years. This category does not include licensed electrical, plumbing, mechanical contractors....

(iii) A maximum of 2 years of experience as a skilled worker in one of the....

(b) Possess a license as an architect or engineer under the provisions of Act 299....

(2) A person who has....

(3) An applicant who meets

(4) An applicant shall submit, with....

With regard to Rule 37, item (1) (a) (ii) which addresses "contractor" I submit the following definition taken from the Funk & Wagnalls Standard Desk Dictionary. "Contractor - One who agrees to supply materials or performs services for a sum for the construction of buildings..." Based upon this definition and the verbiage of Rule 37, item (1) (a) (ii) I feel that all of the time I listed as experience from my years as Field Administrator for Fuller Nichols Architects, under the umbrella of the firms architect(s) license and also working under the residential builders license of William C. Fuller #2101041921, should easily meet the definition of "Contractor - One who agrees to supply materials or performs services for a sum for the construction of buildings..."

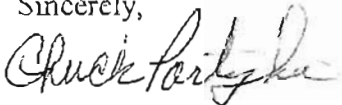
Clients of Fuller Nichols Architects had the option to contract with the firm to add construction administration services to their main architectural contracts or further to have William C. Fuller pull the permits under his residential builders license and act as the general contractor to oversee all aspects of the construction project. The experience time stated on the previously submitted application for building inspector reflects time that was spent providing complete field administration of construction projects with direct control over all phases of the building process. I feel that this construction experience coupled with the extensive experience working directly for and with architects and engineers for 20+ years as well as the 3+ years as a registered code official should easily meet the minimum 4 year within 12 years requirement for registration as a provisional building inspector as mandated in Rule 37.

Furthermore, I had the privilege to speak with Scott Fisher on 8-18-06 while he was teaching an Act 54 class in Gaylord for the Northern Michigan Code Officials Association, of which I am a member, and we discussed Rule 37 and the minimum requirements for building inspector qualifications and what would qualify toward registration. At that time he had told me that the time spent building my own residence and garage did count toward construction experience and in your letter you stated that it does not. I can not see how it would not count as the construction had to meet the same codes, pass the same building inspections and meet the same standards as if anyone else had been building it before a certificate of occupancy could be issued.

From 1981/1982 until the present time I have been continuously involved in the building trades, in one form or another, and feel confident that I surely have the experience and abilities to meet the minimum "...4 years as a contractor..." as requires per Rule 37.

I have attached all the previously submitted information and also copies of other letters and information for ease of your re-review of this application. I look forward to hearing from you regarding this newly provided information. Thank you for your time in this matter.

Sincerely,



Charles T. Partyka, PR BO

Emmet County Planning, Zoning and Construction Resources

attachments

copy: Martain Van Berlo, Building Official

Lyn Johnson, County Controller

Brentt Michalek, Director Planning, Zoning & Const. Resources



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

October 5, 2007

Mr. Charles T. Partyka
4686 W. Lake Rd.
Harbor Springs, MI 49740

Dear Mr. Partyka:

Your application for provisional registration as a building inspector has been reviewed.

To qualify for provisional registration as a building inspector, an applicant must provide documentation of **four years (8,320 hours)** experience in general building construction, as a residential builder, contractor, skilled worker, or a combination thereof. Two of these years may be derived from a completed curriculum at an institution of higher education in a construction related field. **The documented experience for the last 12 years immediately preceding the date of application is the only credit that can be given towards your provisional registration.** Previous inspection experience cannot be considered. A licensed architect or engineer is also considered qualified for registration as a building inspector.

The information you provided with your application, regarding your experience with Fuller-Nichols Architects, fails to establish that you possess the minimum qualifications of the Building Official, Plan Reviewers, and Inspector Registration Rules.

To determine if you qualify for provisional registration as a building inspector, you must provide information relating to your experience in structural building construction. If you were self-employed as a builder/contractor you must verify your structural experience **through building permits, inspection reports and/or letters of reference from former clients.** If reference letters are used, they must indicate the dates service was performed, what was constructed, and the time it took to complete the project. Please note that construction of your personal residence and/or garage cannot be considered toward the minimum requirements for provisional registration as a building inspector.

If you were employed as a skilled worker, your experience must be verified through letters from employers on company letterhead, signed by an authorized company representative, stating job duties, percentage of time spent on each duty, dates of employment and the amount of hours worked per week.

Providing for Michigan's Safety in the Built Environment

BUREAU OF CONSTRUCTION CODES
P.O. BOX 30254 • LANSING, MICHIGAN 48909
Telephone (517) 241-9347 • Fax (517) 241- 9308
www.michigan.gov

Mr. Charles T. Partyka

Page 2

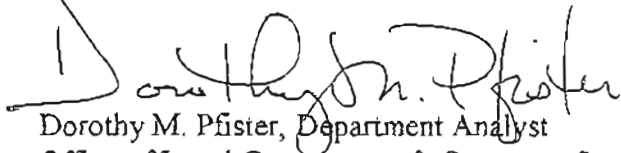
October 5, 2007

Copies of transcripts, diplomas, and licenses submitted will also be evaluated. It is noted that you included a copy of your certificate of Associate in Applied Science degree. Please provide a copy of your transcripts for consideration.

Please provide any additional information by **November 5, 2007**. If the required information is not received within the time frame specified, your application for provisional registration as a building inspector will be canceled.

If you have any questions, you may contact me at (517) 241-9347.

Sincerely,

A handwritten signature in black ink, appearing to read "Dorothy M. Pfister". The signature is fluid and cursive, with a large initial "D" and "P".

Dorothy M. Pfister, Department Analyst
Office of Local Government & Consumer Services

cc: Lyn Johnson, County Controller, County of Emmet



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

October 5, 2007

Mr. Charles T. Partyka
4686 W. Lake Rd.
Harbor Springs, MI 49740

Dear Mr. Partyka:

This office is recommending that the building official category be added to your registration. Your name has been placed on a list, which is going before the Construction Code Commission on November 7, 2007, for their approval.

Upon final approval from the Commission, an updated certificate will be generated.

You may begin performing the duties of a building official pending final approval. The educational requirements will commence upon final approval by the Construction Code Commission.

Please note, Rule 338.2310 (2) of the Michigan Building Officials and Inspectors Registration Act, PA54 of the Public Acts of 1986, states in part:

"An inspector shall not be permitted to inspect his or her own work in a governmental subdivision."

The above statement would also include, but not be limited to, any work performed by any entity of which you are a principle or an employee. In addition, if a change in your inspection jurisdiction occurs, please notify this office in writing.

If you have any questions, you may contact me at (517) 241-9347.

Sincerely,

Dorothy M. Pfister, Department Analyst
Office of Local Government & Consumer Services

DMP/jlp

cc: Lyn Johnson, County Controller, Emmet County

Providing for Michigan's Safety in the Built Environment

BUREAU OF CONSTRUCTION CODES
P.O. BOX 30254 • LANSING, MICHIGAN 48909
Phone (517) 241-9347 • Fax (517) 241-9308
www.michigan.gov

Application for Registration of Building Officials,
Code Inspectors and Plan Reviewers
Michigan Department of Labor & Economic Growth
Bureau of Construction Codes
Office of Local Government and Consumer Services
P.O. Box 30255, Lansing, MI 48909
517-241-9347
www.michigan.gov/bcc

145

Authority: 1996 PA 54 Completion: Mandatory to be registered Penalty: May not be employed as a building official, code inspector or plan reviewer	The Department of Labor & Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability or political beliefs. If you need help with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this agency.
---	---

Act 54 of 1985 and the Building Official, Plan Reviewers, and Inspector Registration Rules requires all building officials, plan reviewers, building, electrical, mechanical and plumbing inspectors to apply for registration with the Construction Code Commission within 30 days of employment. To register, an applicant shall complete and submit this form to the Construction Code Commission at the above address with the employment record and correct fee. This application must be completed in its entirety and include required supporting documentation. Incomplete applications cannot be processed and will be returned to the applicant.

☐ New Applicant

☒ Currently Registered - Registration Number 005156

Applicant Information

NAME (Last, First, Middle) PARTYKA CHARLES THOMAS		SOCIAL SECURITY NUMBER [REDACTED]	
HOME ADDRESS 4686 W. LAKE ROAD			
CITY HARBOR SPRINGS	COUNTY EMMET	STATE MICHIGAN	ZIP CODE 49740

Listed below are the registration classifications. Indicate the classifications for which you are seeking registration by placing a check mark in the appropriate box or boxes.

<input type="checkbox"/> 1. "Building Official" means a construction code enforcement person working as an inspector or plan reviewer or actively engaged in the administration and enforcement of adopted building, electrical, mechanical or plumbing codes, or any combination of these codes. Prerequisite: Registration as an inspector or plan reviewer for two years.					
<input checked="" type="checkbox"/> 2. "Inspector" means the person responsible for the administration and enforcement of the construction of buildings, structures or appurtenances under the requirements of the applicable building, electrical, mechanical or plumbing code administered and enforced within the jurisdiction of the employing enforcing agency.					
Indicate which trade or trades you will be inspecting and provide your license number and class (Contractor, Master or Journey) if appropriate. Include a copy of all licenses issued by the State of Michigan or the local licensing authority.					
Category	License #	Class	Category	License #	Class
<input checked="" type="checkbox"/> Building			<input type="checkbox"/> Mechanical		
<input type="checkbox"/> Electrical			<input type="checkbox"/> Plumbing		
<input type="checkbox"/> 3. "Plan Reviewer" means a person engaged in the practice of examining construction documents for the purpose of determining compliance with applicable codes.					
Indicate the type of plan review you will be performing.					
<input type="checkbox"/> Building	<input type="checkbox"/> Electrical	<input type="checkbox"/> Mechanical	<input type="checkbox"/> Plumbing		

*This information is confidential. Disclosure of confidential information is protected by the Federal Privacy Act.

AGENCY USE ONLY

Submit \$10.00 for each classification for each year of the current code cycle for which you are seeking registration.

\$ <u>20.00</u>	Total Fee
-----------------	-----------

Make check or money order payable to
State of Michigan

Code Enforcement Employment Verification (To be completed by the elected official or designee)

(If employed by more than one unit of government, attach additional sheets)

UNIT OF GOVERNMENT EMMET COUNTY		COUNTY EMMET	Date of Hire: 10/04/04
STREET ADDRESS 200 Division St.		TELEPHONE NUMBER (Include Area Code) 231-348-1735	INDICATE CODE AND EDITION CURRENTLY BEING ENFORCED
CITY PETOSKEY	STATE MI	ZIP CODE 49770	Building 2003 Mich Codes
			Electrical ↓
			Mechanical ↓
			Plumbing ↓

DESCRIPTION OF DUTIES TO BE PERFORMED AS A CODE OFFICIAL

BUILDING INSPECTIONS, PLAN REVIEW, BUILDING CODE ENFORCEMENT

Is this applicant replacing a previously registered inspector? ☐ Yes ☒ No

NAME OF PERSON BEING REPLACED	REGISTRATION NUMBER	DATE EMPLOYMENT TERMINATED
-------------------------------	---------------------	----------------------------

I hereby certify the applicant is in the employment of this unit of government, performing the type of work described on this application.

PRINT OR TYPE NAME OF ELECTED OFFICIAL OR DESIGNEE LYN JOHNSON	TITLE COUNTY CONTROLLER
SIGNATURE OF ELECTED OFFICIAL OR DESIGNEE 	DATE 9/4/07

Code Enforcement History Verification

Are you or have you previously been employed as a building official, code inspector or plan reviewer? ☒ Yes ☐ No

UNIT OF GOVERNMENT (Attach a list if more than four) EMMET COUNTY	DATES OF EMPLOYMENT 10-04-04 TO PRESENT
UNIT OF GOVERNMENT	DATES OF EMPLOYMENT
UNIT OF GOVERNMENT	DATES OF EMPLOYMENT
UNIT OF GOVERNMENT	DATES OF EMPLOYMENT

An applicant for registration as an electrical or plumbing inspector shall indicate their license number on the front of this form and **must attach a copy of their license.**

An applicant for building inspector or plan reviewer, who holds a Michigan residential builder, maintenance and alteration, or architect or engineer license, shall indicate their license number on the front of this form and **must attach a copy of their license.**

An applicant for mechanical inspector who holds a Michigan mechanical contractor license shall indicate their license number on the front of this form and **must attach a copy of their license.**

All applicants must complete the attached Employment Record. List all work experience starting with your most recent employment and working backwards. Provide a detailed description of regularly assigned, ongoing duties for each job; include percentage of time spent on each duty. Attach additional sheets if necessary. Each form shall be signed by the employer or supervisor.

Qualifications for registration are evaluated by reviewing the employment records to determine that the applicant meets the minimum requirements set forth in the Construction Code Commission Rules providing standards for provisional registration, specifically, Rules 31 through 49. (Please note that Rule 37 requires 4 years of combined experience. 2,080 documented hours of field experience will be considered equal to 1 year.) Copies of the rules are available from the Michigan Department of Labor and Economic Growth, Bureau of Construction Codes.

All forms and attachments to the application shall be identified with your name and social security number.

Applicant Certification and Signature

I hereby certify all information contained in this application is true and complete. I agree and understand any falsification of material fact will result in my forfeiting any rights to consideration for registration under the provisions of 1986 PA 54 and the associated administrative rules.

SIGNATURE OF APPLICANT 	DATE 8-31-07
---	------------------------

Employment Record

To ensure your application is processed in a timely manner, please refer to the instructions attached to this application for documentation requirements. Provide a detailed description of regularly assigned, ongoing duties for each job, including percentage of time spent on each duty. Attach additional sheets if necessary.

EMPLOYER FULLER NICHOLS ARCHITECTS		JOB TITLE FIELD ADMINISTRATION	
STREET ADDRESS 297 WEST LAKE ROAD		DATES OF EMPLOYMENT (MONTH/DAY/YEAR) FROM 7-5-1989 TO 10-31-04	AVERAGE HOURS PER WEEK 40
CITY HARBOR SPRINGS		STATE MICHIGAN	ZIP CODE 49740
Percentage	Description of Your Duties		
± 50%	FIELD ADMINISTRATION: IN CHARGE OF CONSTRUCTION PROJECTS (SEE LIST) FROM BIDDING TO COMPLETION, ALL PHASES OF WORK/ALL TRADES.		
± 50%	CAD DRAFTING/PRODUCTION: PREPARE COMPLETE WORKING DRAWINGS, SPECIFICATIONS WRITING, BID DOCUMENTS, CONTRACTS, AGENCY SUBMITTALS ...		
%	(SEE ATTACHED PROJECT LIST)		
%			
%			
100%	SUPERVISOR'S SIGNATURE JILL A. HEWITT, ARCHITECT		TELEPHONE NUMBER (include Area Code) 231-526-2144

EMPLOYER EMMETT COUNTY		JOB TITLE PLAN REVIEWER	
STREET ADDRESS 3434 HARBOR PETERSON RD - SUITE E		DATES OF EMPLOYMENT (MONTH/DAY/YEAR) FROM 10-4-04 TO PRESENT	AVERAGE HOURS PER WEEK 40
CITY HARBOR SPRINGS		STATE MICHIGAN	ZIP CODE 49740
Percentage	Description of Your Duties		
100%	PLAN REVIEWER, ADMINISTRATION, CUSTOMER SERVICE		
%			
%			
%			
%			
100%	SUPERVISOR'S SIGNATURE		TELEPHONE NUMBER (include Area Code) 231-348-1735

Employment Record

EMPLOYER SELF CHUCK PARTYKA		JOB TITLE BUILDER/CONTRACTOR	
STREET ADDRESS 4686 W. LAKE ROAD		DATES OF EMPLOYMENT (MONTH/DAY/YEAR) FROM: 6-1-97 TO: 10-1-97	AVERAGE HOURS PER WEEK 40
CITY HARBOR SPRINGS		STATE MICHIGAN	ZIP CODE 49740
Percentage	Description of Your Duties		
100 %	CONSTRUCTED NEW 1344 SQ. FT. STORY AND HALF GARAGE. DID ALL TRADES / ALL WORK.		
%			
%			
%			
%			
100%	SUPERVISOR'S SIGNATURE CHUCK PARTYKA		

EMPLOYER SELF CHUCK PARTYKA		JOB TITLE BUILDER/CONTRACTOR	
STREET ADDRESS 4686 W. LAKE ROAD		DATES OF EMPLOYMENT (MONTH/DAY/YEAR) FROM: 5-1-02 TO: 12-20-02	AVERAGE HOURS PER WEEK 40 +
CITY HARBOR SPRINGS		STATE MICHIGAN	ZIP CODE 49740
Percentage	Description of Your Duties		
100 %	CONSTRUCTED NEW 2330 SQ FT RESIDENCE. PARTICIPATED IN ALL PHASES, ALL WORK, ALL TRADES.		
%			
%			
%			
%			
100%	SUPERVISOR'S SIGNATURE CHUCK PARTYKA		

If necessary, make additional copies of this form.

CONSTRUCTION HOURS BREAKDOWN:

BUILD OWN GARAGE (1997) = 640 HOURS (4 MONTHS)

BUILD OWN RESIDENCE (2002) = 960 HOURS (6 MONTHS)

* MISC. BLDG. PROJECTS (1998-2003) = 120 HOURS

ASSOC. DEGREE ALPENA COMM. COLLEGE = 2080 HOURS

** FULLON NICHOLS ARCHITECTS = 9360 HOURS (1040 hr/yr/9 yr)

TOTAL CONTRACTOR HOURS = $13,160 \div 2080 = 6.3$ YEARS

ACTIVE EXPERIENCE IN LAST 12 YEARS

* 1998 - ALPENA, HELP CONSTRUCT SEASONAL CABIN 20 HOURS

2000 - ALANSON, HELP w/ RENOVATION & ROOFING 20 HOURS

2001 - NAMAH, HELP CONSTRUCT SEASONAL CABIN 40 HOURS

1999 - GAYLORD, SET TRUSSES BUILD ROOF/ATT GAR. 20 HOURS

2003 - GAYLORD, SET TRUSSES BUILD ROOF/GAR. 20 HOURS

** BREAKDOWN OF PROJECTS WHILE WORKING FOR
FULLON NICHOLS ARCHITECTS THAT I WAS IN
CHARGE OF CONSTRUCTION ADMINISTRATION

SCHOOLS: INLAND LAKES SCHOOLS, ROGERS CITY SCHOOLS,
HARBOR LIGHT SCHOOL, WOLVERINE SCHOOLS,
PELLSTON SCHOOLS, HARBOR SPRINGS SCHOOLS,
JOHANNESBERG/LEWISTON SCHOOLS

HOSPITALITY: BAYSHORE MOTEL, QUALITY INN LAKEFRONT,
THE GRAND BEACH MOTEL, QUALITY INN of MACKINAW
CITY, THE APPLE TREE INN, ECONO-LODGE, CHATEAU
LaFramboise, CHIPPEWA HOTEL, BAYVIEW MOTEL,
DAYS INN, SUGAR BEACH MOTEL, BEST WESTERN
HOUGHTON LAKE, STONECLIFFE MANOR, POND HOUSE
MOTEL @ STONECLIFFE, INLAND HOUSE MOTEL, THE
BAMBI MACKINAW MOTEL, THE CHERRY TREE INN

GENERAL/OTHER: SUTTONS BAY YACHT CLUB, ONAWAY
MEDICAL CLINIC, CLOVELAND ELECT. CO
CHEBOYAN SOCIAL SERVICES BLDG., N.M.
HOSPITALS, FIRST COMMUNITY BANK(S),
HARBOR SPRINGS DPW, BAY HARBOR
EQUESTRIAN CENTER, PELLSTON AIRPORT,
VICTORIES CASINO PROJECT(S), ST.
FRANCIS X CREDIT UNION(S), MANY
HIGH END RESIDENTIAL PROJECTS.



Fuller Nichols Architects

Architecture • Design • Landscape Design

American Institute of Architects

August 6, 2004

Dear Sir or Madam:

Charles Partyka started work at Fuller Nichols Architects in 1989. His first day was spent as new field administrator for an 8 million school renovation project. Prior architectural field and construction experience at Donald Morgridge Architect/MEM Construction (an architectural/construction firm) had more than prepared him for the challenges of overseeing and working with the construction managers on several multimillion dollar school projects.

Over the past fifteen years I have worked closely with Charles on a variety of projects ranging from single family residences to 120 unit hotels to school additions and have appreciated his professional approach to all facets of the architectural business. His knowledge of construction methods and materials, building code requirements and field administration has been invaluable to me and the Fuller Nichols office.

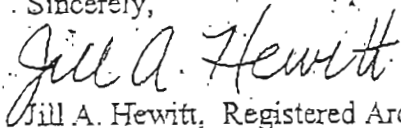
Throughout his 15 years of employment with Fuller Nichols Architects Charles split his time approx. 50%-50% between in house production duties and hands-on in the field construction administration. His field responsibilities included daily/weekly inspection and review of all construction phases to assure compliance with all plans, specifications, codes and ordinances.

Most recently Charles along with William Fuller AIA served as the construction managers for a credit union project at the request of the owner. Many hours were spent daily at the site coordinating work with the subcontractors and material delivery to complete the project. Construction experience was also obtained by Charles when he undertook the total renovation of his own residence. This involved removing the existing structure and then starting with only the foundation constructing a beautiful new residence of his own design. Charles prepared the plans, obtained all permitting, assisted sub-contractor through construction, touched-in the plumbing, mechanical, electrical, systems, as well as the final finishing of the house. All of this was accomplished while still working a forty hour week at Fuller Nichols.

For all of the above reasons and because of the respect I hold for Charles' construction knowledge and abilities, I recommend him for the position of code reviewer with no hesitation. He would serve the department well.

Please feel free to contact me with any questions or clarifications you might require. I'm available at Fuller Nichols 231-526-2144 or at home 231-526-2923.

Sincerely,

A handwritten signature in cursive script that reads "Jill A. Hewitt".

Jill A. Hewitt, Registered Architect

Michigan Architect License #32228

7571 S. Lake Shore Drive

Harbor Springs, Michigan 49740

Alpena Community College

Upon Nomination of the Faculty has conferred upon

Charles W. Hartigan

the degree of
Associate in Applied Science

With all the Rights Privileges and Honors thereto Appertaining.
In Witness Whereof the Seal of the College and the Signature of
its Officers are hereto affixed.

Given at Alpena, Michigan on the thirtieth day of May
in the Year Nineteen Hundred Seventy-Six

Charles W. Hartigan
President, Board of Trustees

Marjorie E. Berglund
Secretary, Board of Trustees

Samuel J. Madson
Superintendent of Schools

W. H. Shattuck
President of the College



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(To Print: use your browser's print function)

Release Date: August 07, 2002
Last Update: February 27, 2007

Qualifications for Inspector Registration

Building Official - Rule 34.

An applicant for registration as a provisional building official shall have 2 years of experience as a registered code inspector or plan reviewer. An applicant whose experience is in the field of plumbing or electrical inspection shall be licensed at the journey level or at a higher level.

Building Inspector - Rule 37.

(1) An applicant for registration as a provisional building inspector shall be qualified as specified in either of the following provisions:

(a) Have not less than 4 years of experience obtained over a period of 12 years immediately preceding the date of the application for provisional registration in 1 or more of the following categories:

(i) A licensed residential builder under the provisions of Act No. 299 of the Public Acts of 1980, as amended, being §339.101 et seq. of the Michigan Compiled Laws, who has been actively engaged in the construction business for not less than 4 years.

(ii) A contractor who has been actively engaged in the construction business for not less than 4 years. This category does not include a person who is licensed as a contractor under Act No. 217 of the Public Acts of 1956, as amended, Act No. 266 of the Public Acts of 1929, as amended, or Act No. 192 of the Public Acts of 1984, as amended, being §338.881 et seq., §338.901 et seq., or §338.971 et seq. of the Michigan Compiled Laws, respectively.

(iii) A maximum of 2 years of experience as a skilled worker in 1 of the following disciplines may count towards the 4 years of experience required in this subdivision:

- (a) Structural carpentry.
- (b) Structural masonry.
- (c) Structural steel erection.
- (d) Structural concrete construction.

(b) Possess a license as an architect or engineer under the provisions of Act No. 299 of the Public Acts of 1980, as amended, being §339.101 et seq. of the Michigan Compiled Laws.

(2) A person who has completed a recognized curriculum at an institution of higher education in a construction-related field shall be deemed to have met the experience requirement for not more than 2 of the 4 years of experience required in subrule (1)(a) of this rule for registration as a provisional building inspector.

(3) An applicant who meets the requirements of this rule shall be deemed qualified for registration as a building inspector, subject to the provisions of section 12(2) of the act.

(4) An applicant shall submit, with an application, documentation of his or her experience. The documentation may consist of any of the following:

- (a) An affidavit.
- (b) Notarized letters.
- (c) Copies of licenses.
- (d) A job description from a present or former employer.

- (e) A permit history from authorized enforcing agencies.
- (f) Other Information.

Electrical Inspector - Rule 40.

An applicant for registration as a provisional electrical Inspector shall have 2 years of experience as a licensed journey worker or shall be licensed as a master electrician under the provisions of Act No. 217 of the Public Acts of 1956, as amended, being §338.881 et seq. of the Michigan Compiled Laws.

Mechanical Inspector - Rule 43.

An applicant for registration as a provisional mechanical Inspector shall have 4 years of experience in either the work classification of heating ventilation and air conditioning (HVAC) or hydronic heating and process piping or a combination of experience in both classifications defined in 1984 PA 192, MCL 338.971 et seq. and known as the Forbes mechanical contractors act. Two of the 4 years of experience shall have been at the journey level or at a higher level.

Plumbing Inspector - Rule 46.

An applicant for registration as a provisional plumbing inspector shall have 2 years of experience as a licensed journey worker or shall be licensed as a master plumber under the provisions of Act No. 266 of the Public Acts of 1929, as amended, being §338.901 et seq. of the Michigan Compiled Laws.

Plan Reviewer - Rule 49. Qualifications.

An applicant for registration as a provisional plan reviewer shall comply with any of the following provisions:

- (a) Have 4 years of experience in the general building construction field as a building contractor, as a person responsibly in charge of building construction, or as a skilled worker.
- (b) Have successfully completed a recognized curriculum at an institution of higher education in architecture or engineering and have 2 years of practical experience in the construction trades.
- (c) Possess 1 of the following:
 - (i) Licensure in the electrical trade.
 - (ii) Four years of experience in 1 or more of the work classifications defined in Act No. 192 of the Public Acts of 1984, as amended, being §338.971 et seq. of the Michigan Compiled Laws, and known as the Forbes mechanical contractors act. Two of the 4 years of experience shall have been at the journey level or at a higher level.
 - (iii) Licensure in the plumbing trade.

Application for Registration of Building Officials, Code Inspector and Plan Reviewers

Questions may be directed to the Office of Local Government and Consumer Services at 517-241-9347.

contemporary [**< L**

ing of one who views
to disdain; scorn. 2.
Willful disregard or
[**< L < com-** thor-

j. Deserving of con-
-ty, **con-tempu-ble**
adj. Showing or feel-
-**con-tempu-ously**

in competition or ri-
to argue; debate. 2.
affirm. [**< L < com-**
-**contend-er** n.
That which a thing
object matter, as of a
acity. 4. Extent or
[See **CONTAIN**.]

l with what one has.
of mind; satisfaction.
-**content-ment** n.
ed with things as they
-**content-ed-ness** n.
ntroversy; argument.
Given to contention;
erized by contention.
-**content-ness** n.

ty. 1. Having a com-
in the same limits.
[**< L < com-** together
-ly adv.

. A struggling against
controvert; dispute.
-**ct**. 1. To fight for;
question; challenge; to
le or dispute; contend;
-**together** + **lertari** to
-ly adv. — **con-tes-ta-tion**

who enters a contest;
littigant.
e, sentence, or passage
ords as to affect their
nds and influences, as
L **< com-** together +
-**teks/chō-ol** adj. —

pl. -ties The state of
nearness.

. Touching at the edge
thing; adjacent. [See
-**contig-u-ous-ness** n.
-**restraint**, esp. abstr.
-**contig-u-ency**.

the large land masses
and Asia (the conven-
mass). North America,
Asia. — the **Continent**
Isles. — **adj**. 1. Self-
esp. sexually; chaste.

1. Of, or of the propor-
Pertaining to the Euro-
U.S. cap. An inhab-
European. 2. A note of
Congress.

Pertaining to the thir-
after the Revolution.
ental army.

ive and governing body
nies, that convened in
le fasto until 1781 when
ne **Confederation**.

pl. -cies 1. Uncertainty
subject to chance or
ossible occurrence. 3.
so **con-tin-gence**.
Liable, but not certain,
by chance; accidental.
nt or condition; with
ossible occurrence: con-
or quota of something
representative group in an
+ **tangere** to touch] —

1. Renewed frequently;

often repeated. 2. Continuous (in time). [**< OF < L** con-
tinuus hanging together] — **con-tin-u-ally** adv.

con-tin-u-ance (kon-tin/yō-əns) n. 1. A continuing of
something, as an action or condition, or a remaining in some-
thing, as in a place or state. 2. Continuation, as of a novel.
3. Duration: a disease of long continuance. 4. Law Ad-
jourment to a future time.

con-tin-u-a-tion (kon-tin/yō-ə-shən) n. 1. The act of con-
tinuing or the state of being continued. 2. The extension or
a carrying to a further point: the continuation of a history.
3. Addition; sequel.

con-tin-ue (kon-tin/yō) v. -tin-ued, -tin-u-ing v.t. 1. To
go on in some action or condition; persist. 2. To resume
after an interruption. 3. To remain in the same place, con-
dition, or capacity. 4. To last; endure. — **v.i.** 5. To perse-
vere or persist in; carry forward. 6. To take up again after
interruption. 7. To extend or prolong in space, time, or
development. 8. To cause to last or endure; also, to keep
on; retain, as in office. 9. Law To postpone; grant a con-
tinuance of. [**< OF < L < com-** together + **tene** to hold]
— **con-tin-u-a-ble** adj. — **con-tin-u-er** n.

con-tin-u-ity (kon-tin/yō-ə-tē, -nyō-ə) n. pl. -ties 1. The
state or quality of being continuous. 2. An unbroken series;
succession. 3. In motion pictures, television, etc., a scenario
outlining the sequence of scenes; also, the script.

con-tin-u-ous (kon-tin/yō-əs) adj. Extended or prolonged
without break; uninterrupted. — **con-tin-u-ous-ly** adv. —
con-tin-u-ous-ness n.

con-tin-u-um (kon-tin/yō-əm) n. pl. -tin-u-a (-tin/yō-ə)
Something that is continuous, of which no separate parts
are discernible. [**< L** neut. of **continuus** continuous]

con-tort (kon-tōrt) v.t. & v.i. To twist violently; wrench
out of shape or place. [**< L < com-** together + **torgere** to
twist] — **con-tor-tion** n. — **con-tor-tive** adj.

con-tor-tion-ist (kon-tōrt/shən-ist) n. A performer trained
to twist his limbs and body into unnatural positions.
con-tour (kon-tōr) n. The outline of a figure or body, or a
line representing it. — **v.t.** 1. To draw the contour lines of.
— **adj.** 1. Agric. Following the contours of land in such a
way in plowing as to minimize erosion. 2. Shaped to fit the
outline or contour of something: contour sheets. [**< F < LL**
com- together + **tornare** to make round]

contour map A map showing topographic configuration by
lines (contour lines) that connect the points of a surface
having similar elevation.

contra- prefix Against; opposite. [**< L < contra** against]
contra-band (kon-tra-band) n. 1. Goods that, by law or
treaty, may not be imported or exported. 2. Smuggled
goods. 3. Goods that, by international law, a neutral may
not furnish to a belligerent, and which are subject to seizure:
in full contraband of war. — **adj.** Prohibited by law from
being imported or exported. [**< Sp. < Ital. < contra** against
+ **bando** **< LL** bannum law] — **con-tra-band-ist** n.

con-tra-bass (kon-tra-bās) Music n. The member of
a family of instruments whose range is below the bass; esp.,
the double bass. Also **con-tra-bas-so** (-bā-sō). — **adj.** Pitched
lower than the normal bass: the contrabass clarinet. [**< Ital. contrabasso**] — **con-tra-bass-ist** (kon-tra-bā-sist) n.

con-tra-bas-soon (kon-tra-bā-sōon) n. The double bas-
soon.

con-tra-cep-tion (kon-tra-sēp/shən) n. The deliberate pre-
vention of fertilization of the human ovum. [**< CONTRA-**
+ (**CONCEPTION**) — **con-tra-cep-tive** n. & adj.]

con-tra-clock-wise (kon-tra-klok/wiz) adj. & adv. Coun-
terclockwise.

con-tract (s. kon-trakt; for v. def. 2, also kon'trakt; n. kon-
trakt) v.t. 1. To cause to draw together; reduce in size. 2.
To enter upon or settle by contract. 3. To acquire or be-
come affected with, as a disease or habit. 4. Gram. To
shorten, as a word, by omitting or combining medial letters
or sounds. — **v.i.** 5. To become smaller, shrink. 6. To
make a contract. — **n.** 1. A formal agreement between two
or more parties, esp. one that is legally binding. 2. The
paper or writing containing such an agreement. 3. The de-
partment of law dealing with contracts. 4. A betrothal or
marriage. 5. In bridge: a The highest and final bid of a
hand, stating a denomination and the number of tricks to be
made. b Contract bridge. Abbr. **cont.**, **contr.** [**< L < com-**
together + **trahere** to pull, draw] — **con-tract-i-bil-i-ty**, **con-**
tract-i-ble-ness n. — **con-tract-i-ble** adj.

contract bridge A variety of the game of bridge in which
tricks made by the declarer in excess of the contract do not
count toward game.

con-tract-ile (kon-trakt-il) adj. Able to contract or to in-
duce contraction. — **con-tract-ile-ty** (kon-trakt-il-ē-tē) n.

con-trac-tion (kon-trakt/shən) n. 1. The act of contracting,
or the state of being contracted. 2. Gram. The shortening
of a word or phrase by the omission of medial letters or
sounds, as in **don't** for **do not**; also, the new word formed. —
Syn. See **ABBREVIATION**. — **con-trac-tive** adj.

con-trac-tor (kon-trakt/tar; for def. 1, also kon'trakt-tar) n. 1.

One who agrees to supply materials or perform services for a
sum, esp. for the construction of buildings. 2. That which
contracts, as a muscle.

con-trac-tual (kon-trakt/chō-əl) adj. Connected with or
implying a contract.

con-tra-dance (kon'tre-dāns', -dāns'), **con-tra-danse** See
CONTREDANSE.

con-tra-dict (kon'tre-dikt) v.t. 1. To maintain or assert
the opposite of (a statement). 2. To deny a statement of (a
person). 3. To be contrary to or inconsistent with. — **v.i.**
4. To utter a contradiction. [**< L < contra** against + **dicere**
to say, speak] — **con-tra-dic-ta-ble** adj. — **con-tra-dic-tor** n.

con-tra-dic-tion (kon'tre-dik/shən) n. 1. Assertion of the
opposite of a statement; denial. 2. A statement that denies
the validity of another. 3. Obvious inconsistency, as be-
tween two statements; discrepancy.

con-tra-dic-tory (kon'tre-dik/tar-ē) adj. 1. Involving or
of the nature of a contradiction; inconsistent; contrary. 2.
Given to contradicting. — **n.** pl. -ries Logic Either of two
statements so related that if one is true the other must be
false. — **con-tra-dic-tor-i-ly** adv. — **con-tra-dic-tor-i-ness** n.

con-tra-dis-tin-ct-ion (kon'tre-dis-tingk/shən) n. Distinc-
tion by contrast or by contrasting qualities. — **con'tra-dis-tingk-**
tion, **con'tra-dis-tin-ctive** adj.

con-trail (kon'trail) n. Aeron. A trail of condensed water
vapor created by an airplane or rocket flying through super-
cooled air. [**< (con)densation** trail]

con-tra-in-dic-tate (kon'tre-in/di-kāt) v.t. Med. To indi-
cate the danger or undesirability of (a given drug or treat-
ment). — **con-tra-in-dic-tant** n. — **con'tra-in/dic-tation** n.

con-tral-to (kon-tral'tō) n. pl. -tos or -ti (-tē) 1. The low-
est female voice, intermediate between soprano and tenor.
2. One having such a voice. — **adj.** Of or pertaining to the
contralto or its range. Abbr. **contr.** [**< Ital.**]

con-trap-tion (kon-trap/shən) n. Informal A contrivance
or gadget. [**< CONTRIVE**]

con-tra-pun-tal (kon'tre-pun'təl) adj. Music 1. Of or per-
taining to counterpoint. 2. According with the principles
of counterpoint. [**< Ital. contrapunto** counterpoint] — **con-**
tra-pun-tal-ly adv. — **con'tra-pun'tist**, **con'tra-pun'tal-ist** n.

con-tra-ri-e-ty (kon'tre-ri-ē-tē) n. pl. -ties 1. The quality
or state of being contrary. 2. An inconsistency. [**< OF < LL**
< L **contrarius** opposite]

con-tra-ri-wise (kon'tre-ri-wiz; for def. 3, also kon-trārē-
wiz) v.t. 1. On the contrary; on the other hand. 2. In
the reverse order; conversely. 3. Contrarily; perversely.

con-trary (kon'trer-ē; for adj. def. 1, also kon-trārē) adj.
1. Opposed in essence, purpose, aim, etc. 2. Opposite as to
position or direction. 3. Adverse; unfavorable: **contrary**
winds. 4. Inclined to oppose and contradict; perverse. —
n. pl. -traries 1. One of two contrary things. 2. The oppo-
site: the contrary is true. 3. Logic A statement the truth of
which is undetermined by the falsity of another, but which
cannot be true if the latter is true. — **on the contrary** On
the other hand; conversely. — **to the contrary** To the
opposite effect. — **adv.** In a contrary manner. [**< AF < L < contra** against]

— **Syn.** (adj.) 1. contradictory, opposed, opposite, antithetical.
contrast (v. kon'trast; n. kon'trast) v.t. 1. To place in
opposition so as to set off differences or discrepancies. 2.
To set (one another) off by opposition, difference, etc. — **n.**
1. 3. To reveal differences when set in opposition. — **n.** 1.
The act of contrasting, or the state of being contrasted. 2.
A dissimilarity revealed by contrasting. 3. One who or that
which shows unlikeness to another. [**< OF** to oppose **< LL**
< L **contra** against + **stare** to stand] — **con-contrast-able** adj.

con-tra-vene (kon'tra-vēn) v.t. -vened, -ven-ing 1. To come
into conflict with; run counter to; infringe; transgress: to
contravene a law. 2. To oppose or contradict. [**< F < L**
contra against + **venire** to come] — **con-tra-ven-er** n. —

con-tre-ven-tion (kon'tre-ven/shən) n.
con-tre- prefix Counter; against; in opposition to. [**< F**
< L **contra**. See **CONTRA-**]

con-tre-danse (kōn'tre-dāns') n. A country-dance; also
contradance, **contradanse**. Also **con-tre-dance** (kōn'tre-dāns',
-dāns'). [**< F**, alter. of **COUNTRY-DANCE**]

con-tre-temps (kōn'tre-tāsh') n. pl. -temps (-tāsh', Fr.
-tāsh') An embarrassing or awkward occurrence. [**< F**]

con-trib-ute (kon-trib/yōt) v. -uted, -ut-ing v.t. 1. To
give with others for a common purpose. 2. To furnish (an
article, story, etc.) to a publication. — **v.i.** 3. To share in
effecting a result: These causes contributed to the king's
downfall. 4. To make a contribution. [**< L < com-**
together + **tribuere** to grant, allot] — **con-trib-u-ta-ble** adj. —
con-trib-u-tive adj. — **con-trib-u-tive-ly** adv. — **con-**
trib-u-tive-ness n. — **con-trib-u-tor** n.

con-tri-bu-tion (kon'tre-byōt/shən) n. 1. The act of con-

tributing. 2. Something con-
tributed to a periodical
con-trib-u-tory (kon-trib-
yū-trib-ut, as money or aid.
— **n.** pl. -ries One who or th
con-trite (kan-triv, kon'trit)
sorry for one's sins; penitent
[**< OF < L < com-** together
adv. — **con-trite-ness**, **con-tri-**
con-triv-ance (kan-triv/əns)
contriving; also, the ability
mechanical apparatus. 3. An in-
con-trive (kan-triv) v. -tri-
scheme, or plot. 2. To improv-
ise by some scheme. — **n.** 1.
[**< OF < L < com-** together + **triv-**
con-triv-a-ble adj. — **con-tri-**
con-trol (kən-trōl) v.t. -tri-
authority over. 2. To restrain
verify, as an experiment. 4.
means of a duplicate registe
Power to regulate and direc
check. 3. A standard of com
the results of a scientific exp
device used for operating a
etc. [**< MF < OF < Med. I**
list] — **con-trol-la-bil-i-ty**, **con-**
trō-la-ble adj.

con-trol-ler (kan-trōl/er) n.
or directs. 2. An officer ap-
accounts; also spelled **comptrol-**
ulate the speed of a machine
control tower A specially
field, from which aircraft trai
con-tro-ver-sial (kon'tro-vēr-
characterized by controversy;
disputatious. — **con'tro-ver-**
ly adv.

con-tro-ver-sy (kon'tro-vūr-
regarding a matter on which
[**< L < contra-** against + **ver-**
con-tro-vert (kon'tro-vūrt, kē-
against; contradict; oppose.
contro-ver-er n. — **con'tro-ver-**
bly adv.

con-tu-ma-cious (kon'tō-mā-
disobedient. — **con'tu-ma-cio-**
ness n.

con-tu-ma-cy (kon'tō-mā-sē,
tuous disobedience of authori-
dination. [**< L < contumax**,
con-tu-me-ly (kon'tō-mā-lē,
-tyōō-ē) n. pl. -lies 1. Insult
ner; insolence. 2. An insult,
proach] — **con-tu-me-li-ous**
— **con-tu-me-li-ous-ly** adv. —

con-tu-se (kan-tōōz', -tyōōz')
by a blow. [**< L < com-** tog
con-tu-sion (kon'tū-zhən, -tē)
co-nun-drum (kə-nun/drem)
answer depends on a pun. 2.
Syn. See **PUNZLE**. [Origin un-
con-va-lesce (kon'vā-lesh') v.i.
after illness; regain good health
+ **valere**, inceptive of **valere**
con-va-les-cence (kon'vā-lesh'
from illness. 2. The period
lescent adj. & n.

con-vec-tion (kan-vek/shən)
ence of heat in a gas or liquid
equal temperature and the e
2. The act of conveying. [**< I**
carry] — **con-vec-tion-al** adj.
vec-tive-ly adv.

con-vene (kan-vēn) v. -vened
assemble; convoke. 2. To sum
authority. — **v.i.** 3. To come
< com- together + **venire** to
— **con-ven-er** n.

con-ven-ience (kan-vēn/yans)
convenient; suitability. 2. 1
Anything that increases comf
con-ven-iency. — **at one's con-**
sion suiting one's needs or pre
con-ven-ient (kan-vēn/yant)
purpose or needs; conducive to
easy reach; handy. [See **CONV**
con-vent (kon'vent, -vent) n

PRONUNCIATION KEY: add, āce, cāre, pālm; end, ēven; it, īce; odd, ōpen, ōrder; tōok, pōol; up, būrn; a
āle, o in melon, u in focus; yōō = u in /use; oil; pour; check; go; ring; thin; this; zh, vision.

EXHIBIT E

BCC Letter to Mr. Partyka dated January 14, 2008



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

January 14, 2008

Mr. Charles T. Partyka
4686 W. Lake Rd.
Harbor Springs, MI 49740

Dear Mr. Partyka:

The additional information received December 21, 2007, to document your experience in construction has been reviewed. However, the information provided regarding your construction experience appears to be the same information that accompanied your initial application for registration as a building inspector received on September 26, 2007.

Your employment with Fuller-Nichols Architects as a "Field Administrator" and "CAD Drafting/Production" does not appear to provide the type of experience required of Rule 37. In addition, as indicated in correspondence forwarded to you on October 5, 2007, the construction of your personal residence and/or garage cannot be considered toward the minimum requirements for provisional registration as a building inspector.

Also, because you did not provide a copy of transcripts from your Associate in Applied Science degree, it cannot be determined if the degree is construction related, and cannot be considered toward the requirements of Rule 37.

Therefore, your application for provisional registration as a building inspector is denied. You may appeal this decision by contacting the Bureau, in writing. If we do not receive a request for an appeal within 15 days, your application will be canceled.

If you have any questions, you may contact me, or Dorothy Pfister, at (517) 241-9347.

Sincerely,

Scott D. Fisher, Director
Office of Local Government and Consumer Services

SDF/dmp

cc: Lyn Johnson, County controller, County of Emmet
Martin Van Berlo, Building Official, County of Emmet
Brent Michalek, Director of Planning, Zoning and Construction Resources, County of Emmet

Providing for Michigan's Safety in the Built Environment

BUREAU OF CONSTRUCTION CODES
P.O. BOX 30254 • LANSING, MICHIGAN 48909
Telephone (517) 241-9347 • Fax (517) 241-9308
www.michigan.gov

EXHIBIT F

Letter of Appeal from Mr. Partyka dated January 22, 2008



3434 HARBOR-PETOSKEY RD, SUITE E
HARBOR SPRINGS, MI 49740
PHONE: 231-348-1735 FAX: 231-439-8933

TO: DOROTHY M. PFISTER, PPT. ANALYST

FAX #: 517-241-9308

FROM: CHARLES PARTYKA

DATE: 1-22-08

RE: APPEAL PROCESS

PAGES: 3, INCLUDING THIS COVER SHEET

MESSAGE:

AS PER OUR PHONE CONVERSATION, PLEASE
REVIEW ATTACHED INFO. CALL WITH ANY QUESTIONS
OR IF YOU NEED ADDITIONAL INFO. DIRECT LINE 231-439-
8925

EMMET COUNTY
PLANNING, ZONING
&
CONSTRUCTION RESOURCES

County of Emmet
Planning, Zoning & Construction Resources
3434 Harbor Petoskey Rd. Suite E
Harbor Springs, Michigan 49740
Phone (231) 348-1735 Fax (231) 439-8933
www.co.emmet.mi.us

January 22, 2008

Dorothy M. Pfister, Department Analyst
Office of Local Government & Consumer Services
Bureau of Construction Codes, P O Box 30254
Lansing, Michigan 48909

Dear Dorothy M. Pfister,

The following is in response to your letter dated 01-14-08 (copy attached) and your decision to not accept the contractor experience information provided and therefore to deny my application for provisional registration as a building inspector. At this time I wish to appeal the decision to deny registration based upon Rule 37 qualifications. I am actively compiling additional information regarding qualifications and will be submitting this information at the earliest opportunity. Please inform me of the required process needed to resolve these remaining issues and follow through with the appeals process.

Thank you for your assistance throughout this process.

Sincerely,



Charles T. Partyka, PR BO #5156
Emmet County Planning, Zoning and Construction Resources

attachments

copy: Martin Van Berlo, Building Official
Lyn Johnson, County Controller
Brett Michalek, Director Planning, Zoning & Constr. Resources

EXHIBIT G

Letter of Acknowledgement to Mr. Partyka dated January 28, 2008



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

January 28, 2008

Mr. Charles T. Partyka
4686 W. Lake Rd.
Harbor Springs, MI 49740

Dear Mr. Partyka:

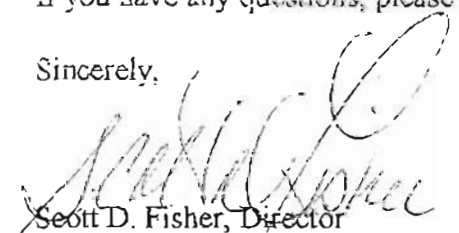
Your appeal of our agency's decision to deny your application for provisional registration as a building inspector was received on January 22, 2008. The Construction Code Commission will hear your appeal at their meeting on March 5, 2008. The meeting begins at 9:30 a.m., and will be held in Conference Room 3, 2501 Woodlake Circle, Okemos, Michigan.

Although you are not required to attend this meeting, you may wish to be present to provide any additional information that you consider relevant to your appeal, and answer any questions that the Commissioners may have.

Prior to the Commission meeting, you will be provided a copy of the information being presented to the Commission regarding your application.

If you have any questions, please contact me, or Dorothy Pfister, at (517) 241-9347.

Sincerely,



Scott D. Fisher, Director

Office of Local Government & Consumer Services

SDF/dmp

cc: Lyn Johnson, County Controller, County of Emmet
Martin Van Berlo, Building Official, County of Emmet
Brent Michalek, Director of Planning, Zoning and construction Resources, County of Emmet

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EXHIBIT H

Letter and Additional Documentation from Mr. Partyka
received February 8, 2008

County of Emmet

Planning, Zoning & Construction Resources

3434 Harbor Petoskey Rd. Suite E

Harbor Springs, Michigan 49740

Phone (231) 348-1735 Fax (231) 439-8933

www.co.emmet.mi.us

January 30, 2008

Dorothy M. Pfister, Department Analyst
Office of Local Government & Consumer Services
Bureau of Construction Codes, PO Box 30254
Lansing, Michigan 48909

Dear Dorothy M. Pfister,

Please find attached a letter from my former employer, Fuller Nichols Architects, confirming my years of employment and my job duties. Also attached are present day degree course outlines and degree class requirements for the Associate in Applied Science - Drafting and Design Technology degree I received as well as a copy of a grade transcript I have showing the major classes as being drafting. The attached Alpena Community College degree information was printed from the ACC web site and are the current degree requirements, it can be assumed that the base degree requirements have not changed that much from when I received my degree with the major change being the CAD and computer advancements that have taken place over the years.

I hope this additional information helps clarify my position as being able to meet the minimum requirements for provisional registration as a building inspector. Should you require additional information or have any questions or comments please feel free to contact me at my direct office line 231-439-8925.

Thank you for your assistance and please inform me of the next required steps in the appeals process.

Sincerely,



Charles T. Partyka, PR BO #5156

Emmet County Planning, Zoning and Construction Resources

attachments

copy: Martin Van Berlo, Building Official

Lyn Johnson, County Controller

Brentt Michalek, Director Planning, Zoning & Const. Resources



Fuller Nichols Architects

Architecture • Design • Landscape Design

American Institute of Architects

Date: January 28, 2008

Re: Mr. Charles T. Partyka
Verification - Fuller Nichols Architects

Dear Scott D. Fisher,

I am a registered architect and associate with Fuller Nichols Architects and have been with our firm for the past twenty years. I affirm that Charles Partyka was employed with our firm from July 5, 1989 through October 1, 2004 and I further affirm that his assigned duties included the direct supervision of our projects under construction whenever our clients had specifically contracted for this service. It can be assumed that an average actual time spent overseeing construction projects would have accounted for roughly one half of his normal forty hour work week. Upon my review of a copy of the information Charles submitted with his application for registration to your office I can verify that the information pertaining to his employment with Fuller Nichols Architects and his times spent supervising construction projects appears to be accurate as he stated.

Please feel free to contact me with any questions you may have. I can be reached at Fuller Nichols Architects 231-526-2144 ext 205 or at home 231-526-2923.

Sincerely,

Jill A. Hewitt, Registered Architect
Michigan Architect License #32228
7571 S. Lake Shore Drive
Harbor Springs, Michigan 49740

THIS IS THE ONLY GRADE
TRANSCRIPT I HAVE. IT
APPEARS THAT THE COURSE
CLASS OUTLINE I COPIED
FROM AOL WEB SITE WAS
CHANGED SOME OVER THE
YEARS. IT WOULD APPEAR
THE CLASSES I TOOK ARE
SIMILAR BUT WERE MORE
WEIGHTED WITH DRAFTING
AND NOW IT IS MORE CAD.
THE RELATED REQUIREMENTS
SEEM THE SAME OR

STUDENT NAME	SOCIAL SECURITY NO.
PARTYKA CHARLES T	0067033

SEMESTER	DATE
FALL 1975	5/31/76

ALPENA COMMUNITY COLLEGE
ALPENA, MICHIGAN 49707

GRADE REPORT

PARTYKA CHARLES T
591 CALCLITE RD
ROGERS CITY

49779

COURSE NUMBER	COURSE DESCRIPTION	HOURS	GRADE	HONOR POINT
DRA 222	DRAFTING	4.0	C	8.0
DRA 224	DRAFTING	4.0	B	12.0
DRA 226	DRAFTING	4.0	C	8.0
DRA 228	DRAFTING	4.0	A	16.0
IND 225	STRENGTH MATERIAL	3.0	B	9.0
MTH 116	TECHNICAL MATH	4.0	C	8.0
TOTALS		23.0		61.0
CUMULATIVE TOTALS		76.0		193.0

IMPORTANT:
READ REVERSE SIDE

STUDENT COPY

Alpena Community College Associate degree Drafting and Design Te...

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Alpena Community College - Associate degree - Drafting and Design Technology + Technician, General.

Alpena Community College
Associate degree
Drafting and Design Technology + Technician, General.

Alpena Community College is a Public, 2-year Associate's--Public Rural-serving Medium with 1887 students in Alpena, MI.

General Description for:

Alpena Community College Associate degree Drafting and Design Technology + Technician, General: A program that prepares individuals to generally apply technical skills to create working drawings and computer simulations for a variety of applications. Includes instruction in specification interpretation, dimensioning techniques, drafting calculations, material estimation, technical communications, computer applications, and interpersonal communications.

View more details on [Alpena Community College](#).

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Alpena Community College

Alpena Community College is a Public, 2-year Associate's--Public Rural-serving Medium with 1,887 students in Alpena, MI.

This school offers the following degrees:

Also, students of this school are eligible for federal aid such as Pell Grants and Direct Loans from the US Department of Education.

View more details on [Alpena Community College](#).

ALPENA COMMUNITY COLLEGE

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Programs of Study Search

Computer-Aided Drafting & Design Engineering Technology

Associate In Applied Science

Computer graphics for engineering technology are emphasized in this program as students are prepared for a wide variety of occupations in design and drafting fields. A CAD (computer-aided drafting and design) lab is utilized, fully equipped with software recommended by industry. While foundations in traditional drafting methods are included, the use of computers gives students the opportunity to participate in the paradigm shift into high-tech subjects such as 3D solid modeling. In addition to specialized CAD courses, related subjects are covered to give students the background they need to perform well in the workplace. Scientific and mathematical principles and theories serve as a basis for the research and development of products. Communication skills and knowledge of manufacturing processes are required in the workplace and are also important parts of this program. Graduates are qualified to secure technical positions such as engineering technician, computer drafter, and designer in both mechanical and architectural fields.

Program Number: 15.1302

First Year

First Semester	Course Hours
CAD 101 Introduction to CAD Careers b	.5
CAD 110 Geometric Constructions and 2D Drafting * b	1.5
CAD 111 Multiview Drawing and Visualization * b	1.5
CAD 132 AutoCAD Fundamentals * b	1.5
CAD 135 Intermediate AutoCAD * b	1.5
ENG 111 English or ENG 120 Applied Communications	3
MFG 101 Metal Cutting I b	4
MTH 110 Technical Math I c	3

Second Semester

Second Semester	Course Hours
CAD 130 Advanced Multiview Drawing * b	1.5
CAD 131 Pictorial Drawing & Sketching * b	1.5
CAD 140 3D Modeling * b	1.5
CAD 141 Integrated CAD Apps. * b	1.5
ENG 112 English or ENG 123 Technical Communications	3
MTH 112 Technical Math II c	3
American Government Requirement a	3

Second Year

First Semester	Course Hours
CAD 134 Architectural Design (Residential) b	3.5
CAD 220 Machine Drawing b	3.5
CAD 225 Schematic Diagrams * b	1.5
IND 225 Strength of Materials b	4.0
IND 227 Principles of Fluid Power * b	1.5
PHY 111 Applied Physics d	3

Second Semester	Course Hours
CAD 222 Kinematics Design of Mechanisms b	3.5
CAD 224 Architectural Design (Commercial) b	3.5
CAD 226 Industrial Design b	3.5
CAD 229 Descriptive Geometry b	3.5
Technical Elective e	2-3

Notes

* These courses are normally offered in sequence during a semester.

a Choose either three credits in Political Science ([PLS 221](#) or [PLS 222](#)) or six credits in U.S. History ([HST 221](#) and [HST 222](#)).

b Included in occupational specialty: GPA of 2.0 or higher must be maintained in the area of occupational specialty.

c Will be waived if student successfully completes [MTH 122](#) Plane Trigonometry or higher. Students who plan on transferring to a 4-year institution should complete [MTH 113](#) and [MTH 122](#) or higher. Please see academic advisor for details.

d Will be waived if student successfully completes [PHY 121](#) General College Physics.

e Select from the following technical electives: [APP 100E](#), [CAD 114](#), [CST 214](#), [MFG 122](#), [MFG 123](#), [MET 200](#), [MFG 100](#).

NOTE: Since technical programs are lab-intensive, credit hours for each semester and program completion are usually higher than for non-technical programs. It should be taken into consideration, however, that a great percentage of student work may be completed during scheduled lab hours.

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989.356.9021

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Comments: walterj@alpenacc.edu

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EXHIBIT I

Letter to Mr. Partyka dated February 19, 2008



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

February 19, 2008

Mr. Charles T. Partyka
4686 W. Lake Rd.
Harbor Springs, MI 49740

Dear Mr. Partyka:

Your letter and additional information regarding your construction experience was received on February 8, 2008.

As a result of the information you included which was obtained via the internet from Alpena Community College, you have been granted 2,080 hours for your Associates Degree in Applied Science toward the minimum requirements for registration as a Building Inspector.

Your letter and documentation will be included with your appeal being presented to the Construction Code Commission on March 5, 2008.

If you have any questions, you may contact Dorothy Pfister at (517) 241-9347.

Sincerely,

Scott D. Fisher, Director
Office of Local Government & Consumer Services

SDF/dmp

cc: Lyn Johnson, County Controller, County of Emmet
Martin Van Berlo, Building Official, County of Emmet
Brent Michalek, Director of Planning, Zoning and Construction Resources, County of Emmet

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JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

February 13, 2008

DOCUMENT #08-24

TO: Members of the Construction Code Commission

FROM: Robert G. Konyndyk, Chief, Plumbing Division *RK*

SUBJECT: Approval of Invacare Access 3600XL, 3750, 3600, 3650, and 3800 Hydromassage Bathtubs

The applicant has requested product approval to provide health care facilities product acceptance through approval clarification.

APPLICANT REPRESENTATIVE:

Mr. Paul Mitchener

APPLICANT:

Invacare Corporation
994 Hargrieve Road
London, ON N6E 1P5

Manufactured at: Invacare
899 Cleveland Street
Elyria, Ohio 44036

AUTHORITY:

Section 21 of Act 230, 1972 being section 125.1521 of the Michigan Compiled Laws.

PRODUCT:

Invacare, Access Models 3600XL, 3750, 3600, 3650, and 3800 Hydromassage Bathtubs.

APPLICATION:

Health Care, Nursing Home Bathing Systems

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LABORATORY TESTS:

ITS Intertek Testing Service NA Ltd.
3210 American Drive
Mississauga, Ontario L4V 1B3

Report No. 3095390
Report Date: August 11, 2006

CONDITIONS OF USE AND INSTALLATION:

1. All requirements of the Michigan Plumbing and Electrical codes shall be applicable.
2. Installations shall be in accordance with the manufacturers specifications.
3. Requests from hospital or care institutions must be approved by the Health Department having jurisdiction.
4. Both hot and cold water supplies shall be protected by and approved for reduced pressure principle backflow preventer.
5. The unit shall discharge into an approved waste receptor.

RECOMMENDATION:

The State Plumbing Board at their February 6, 2008 board meeting recommended the products to the commission for approval.

RGK/mkr



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

February 6, 2008

Document #08-22

TO: Members of the Construction Code Commission

FROM: Tennison B. Barry, Chief, Mechanical Division

TBB

SUBJECT: Approval of Grooved Couplings and Fittings.

APPLICANT:

Tyco Fire & Building Products
Grinnell Grooved Piping Products
1467 Elmwood Ave.
Cranston, RI 02910

AUTHORITY:

Section 21 of 1972 PA 230, MCL 125.1521.

PRODUCT:

Grooved Couplings and Fittings (full line).

APPLICATION:

Grooved Couplings and Fittings for Fire Protection and Mechanical applications.

LABORATORY TESTS:

UL and International Association of Plumbing and Mechanical Officials.

CONDITIONS OF USE AND INSTALLATION:

1. Must be installed to the Michigan Mechanical Code.
2. Must be installed to the manufacturer's installation instructions.

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Construction Code Commission
Page 2
February 6, 2008

RECOMMENDATION:

The Board of Mechanical Rules recommends the product to the Commission for approval at their March 5, 2008 meeting.

TBB/cct



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

February 6, 2008

Mr. Mark J. Estrella
Tyco Fire & Building Products
1467 Elmwood Ave.
Cranston, RI 02910

RE: Tyco Fire & Building Products, Petitioner,

Vs

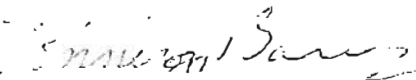
Bureau of Construction Codes, Respondent

Dear Mr. Estrella:

Enclosed you will find a signed copy of the Final Agency Order of the Board of Mechanical Rules. The Board approved your products with the listed recommendations at their meeting on January 23, 2008. The products will be presented to the Construction Code Commission for approval at their meeting on March 5, 2008.

If you have any questions, please contact this office at (517) 241-9325.

Sincerely,


Tennison B. Barry, Chief
Mechanical Division

TBB/cct

Enclosures

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JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

DATE: January 10, 2008 M08-01

TO: Board of Mechanical Rules

FROM: Tennison B. Barry , Chief , Mechanical Division

SUBJECT: Approval of Product –

The items listed below have been reviewed by Mechanical Division staff.

The manufacturers, the products, and the recommendations of the Mechanical Division for approval or disapproval of the items for installation in the State of Michigan are as follows:

Manufacture: Tyco Fire & Building Products
Product: Grinnell Grooved Couplings and Fittings
Description: Cast Ductile Iron pipe couplings, flange adapters, mechanical outlets ,
and fittings.

Test Results: UL

Recommendation: Recommend approval for installation in the State of Michigan under
the following condition(s).

1. Must be installed to the Michigan Mechanical Code.
2. Must be installed to the installation instructions.

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tyco

*Fire & Building
Products*

Grinnell[®]

Tyco Fire & Building Products
Research & Development Center
Grinnell Grooved Piping Products
1467 Elmwood Ave.
Cranston, RI 02910 USA

Tele: 401-781-8220
Fax: 401-781-7317

5-Nov-07

Michigan Department of Labor and Economic Growth
Bureau of Construction Codes
PO Box 30255
Lansing, MI 48909

To Whom It May Concern:

Please accept this application packet for the State of Michigan approval of Tyco Fire & Building Product's (TFBP) full line of Grooved Couplings and Fittings. Enclosed are applications for both the Michigan Mechanical Code, and the Plumbing Code with the accompanying Approval Agency Reports.

We are seeking approval for all of our products, in sizes up to 24". Looking at the enclosed Underwriters Laboratories (UL) and International Association of Plumbing and Mechanical Officials (IAPMO) approval paperwork, these agencies only approve up to 12". This is a result of the approvals needed for Fire Protection only govern up to 12", and anything over that size is generally considered a Mechanical Application which does not need agency approval. Please be assured, we internally test all of our large diameter products (14"+) to the same criteria as the agencies would require.

With that being said, there is a packet for each member of the Mechanical Board, and each member of the Plumbing Board. It is our intention to have these packets submitted in time for the next approval meeting in January.

If there is anything else that you require, please feel free to contact me.

Thank you



Mark J. Estralla
Project Engineer
401-781-8220 x438



*Fire & Building
Products*

Grinnell®

Tyco Fire & Building Products
Research & Development Center
Grinnell Grooved Piping Products
1467 Elmwood Ave.
Cranston, RI 02910 USA

Tele: 401-781-8220
Fax: 401-781-7317

To: Michigan Department of Labor & Economic Growth – Bureau of Construction Codes
Cc:
From: Mark Estrella
Date: 5-Nov-07
Subject: Grinnell Grooved Couplings and Fittings List (Mechanical)

All of Grinnell's products are designated by a Figure (Fig) Number; ex. Fig 577 Coupling.

Couplings, Flange Adapters, and Mechanical Outlets

Fig 577, 705, 707, 772, 716, 770, 71, 40-5, 522, 730, 472, 405

Fittings

Fig 201, 210, 219, 221, 250, 260, 227, 301, 302, 303, 310, 311, 312, 313, 314, 315, 319, 320, 321, 322, 323, 324, 325, 327, 328, 330, 331, 341, 342, 350, 351, 360, 372, 397, 398, 399, 501, 501s, 510, 510s, 519, 519s, 521, 527, 550, 560, Ada-Cap



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

Document No. 08-26

February 21, 2008

TO: Members of the Construction Code Commission

FROM: Irvin J. Poke, AIA, Chief, Plan Review Division

SUBJECT: **Compliance Assurance No. 515**
Certificate of Acceptability
Modular Buildings of Monroe
1511 Wohler Street
Angola, IN 46703

The above manufacturer has submitted a Compliance Assurance Program and appropriate fees. The inspection and evaluation agency has been previously certified by the Construction Code Commission. The Plan Review Division has evaluated the submission for compliance with Rules 1161 through 1168 and recommends that the Commission issue a Certificate of Acceptability, in accordance with Sections 4 and 19 of 1972 PA 230, MCL 125.1504, and the General Rules, Part 11 Premanufactured Units, Rule 1132(1).

IJP/mt

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CERTIFICATE OF ACCEPTABILITY

Manufacturer's Compliance Assurance Program

Michigan Department of Labor & Economic Growth
Bureau of Construction Codes
P.O. Box 30254
Lansing, MI 48909
(517) 241-9328

MANUFACTURER:

Modular Buildings of Monroe
1511 Wohlert Street
Angola, IN 46703

COMPLIANCE ASSURANCE PROGRAM NO.

515

LOCATION OF PLANT:

Modular Buildings of Monroe
1511 Wohlert Street
Angola, IN 46703

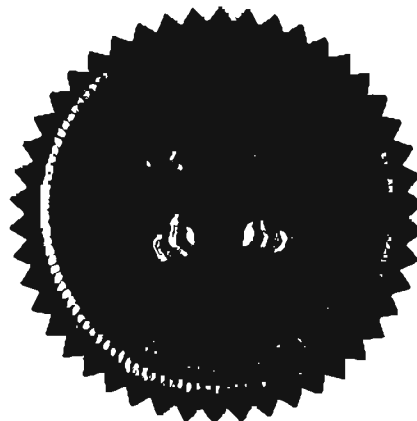
INSPECTION AGENCY:

Professional Service Industries Inc
1748 33rd Street
Orlando, FL 32839

THE ABOVE NAMED MANUFACTURER, HAVING SUBMITTED AN APPLICATION AND A COMPLIANCE ASSURANCE MANUAL FOR PROGRAM APPROVAL; AND THAT SAID MANUFACTURER HAVING MET THE REQUIREMENTS FOR SUBMISSION OF A COMPLIANCE ASSURANCE PROGRAM IN ACCORDANCE WITH THE RULES OF THE CONSTRUCTION CODE COMMISSION, PART 11, PREMANUFACTURED UNITS; THEREFORE, THIS CERTIFICATE OF ACCEPTABILITY IS ISSUED.

BY AUTHORITY CONFERRED ON THE CONSTRUCTION CODE COMMISSION BY SECTIONS 4 AND 19 OF 1972 PA 230, MLC 125.1504.

Donald L. Pratt, Chairperson
Construction Code Commission
Date: March 5, 2008



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JENNIFER M. GRANHOLM
GOVERNOR

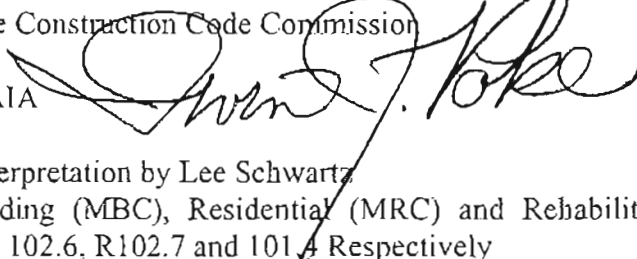
STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

DOCUMENT #08-25

February 21, 2008

TO: Members of the Construction Code Commission

FROM: Irvin J. Poke, AIA 

SUBJECT: Request for Interpretation by Lee Schwartz
Michigan Building (MBC), Residential (MRC) and Rehabilitation (MRCEB)
Codes Sections 102.6, R102.7 and 101.4 Respectively

Question: When no additions, alteration, or repairs are being performed on the structure, the legal occupancy of the structure has not changed and the structure has no particularized hazard which requires abatement, do Sections R102.7 of the MRC, Section 102.6 of the MBC and Section 101.4 of the MRCEB allow for the building department to apply, on a general or occupancy group basis, a current code requirement to existing buildings?

Answer: No.

Discussion: The intent of MBC Section 102.6 is that existing buildings are allowed to remain in legal use and occupancy and not subject to the application of the code until it is altered, repaired or not properly maintained. The section reads as follows:

102.6 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the *International Property Maintenance Code* or the *International Fire Code*, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

MRC Section R102.7 and MRCEB Section 101.4 contain similar language. Existing buildings in good repair have always been considered to be "grandfathered" against the requirements of the code when it is updated. This is to avoid the peril of making every building illegal each time a new code is adopted.

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A home with a basement that was constructed prior to the 2000 Michigan Building Code requirement for emergency escape windows in basements is permitted to remain as is. The statement "or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public" should be limited to issues of disrepair that are not addressed by the code, and is not the building official's authority to require upgrades in construction when no construction is undertaken.



December 11, 2007

Mr. Donald Pratt
Chairman, State Construction Code Commission
Bureau of Construction Codes
Department of Labor and Economic Growth
P.O. Box 30254
Lansing, MI 48909

Dear Mr. Pratt:

The Stille-DeRossett-Hale Single State Construction Code Act (Public Act 230 of 1972 as amended) provides for the statewide application of both the Act and the State Construction Code. The Act also provides for the State Construction Code Commission to oversee uniform interpretation and enforcement of the State Construction Code Act. In this regard, the commission issues both technical bulletins which provide clarification on issues which arise regarding code administration and enforcement and formal interpretations of code requirements.

The Michigan Association of Home Builders is requesting the State Construction Code Commission to issue formal interpretations on the following two questions.

1. An issue has arisen regarding the necessity to obtain a building permit for non-emergency repairs.

Section 105.2.2 of the 2003 Michigan Residential Code governs the issuance of permits for repairs. This section provides that "***Application or notice to the building official is not required for ordinary repairs to structures (emphasis added), replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition, or portion thereof, the removal or cutting of any structural beam of load bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring, or mechanical or other work affecting public health and general safety.***"

Section R202 Definitions defines "Repair" as *"The reconstruction or renewal of any part of an existing building for the purposes of its maintenance."*

The Michigan Association of Home Builders is requesting a formal interpretation from the Commission on the following question:

"May a building department require a building permit for an ordinary repair such as the residing of a structure where the repair does not include any of the prohibited actions found in R105.2.2?"

2. An issue has arisen over the interpretation of Section R102.7 Existing Structures of the 2003 Michigan Residential Code and R102.6 Existing Structures of the 2003 Michigan Building Code.

The Existing Structures language found in both of the above cited code sections as well as Section 101.4 of the 2003 Michigan Rehabilitation Code for Existing Buildings reads as follows: *"The legal occupancy of any structure existing on the date of the adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the International Property Maintenance Code, or the International Fire Code, or as deemed necessary by the building official for the general safety, and welfare of the occupants and the public."*

Local Construction Boards of Appeal are allowed to grant variances from the code only where *"The specific condition justifying the variance shall be neither so general nor recurrent in nature as to make an amendment of the code with respect to the condition reasonably practical or desirable."*

Additionally, once plans have been approved or the permit has been issued, the code under which the project was approved/issued is the applicable code throughout the completion of the project. If a new code becomes effective during the construction process any new or changed requirements it contains cannot be applied to the project.

It has been asserted that, rather than restricting a building department from enforcing current code requirements on existing buildings except in cases where there is an particularized hazard which requires abatement through the application of a specific code provision to assure the safety of occupants within an individual building or structure, the language *"as deemed necessary by the building official for the general safety and welfare of the occupants and the public"* allows for the wholesale application of current code requirements to entire classes of existing structures legally in existence on the date of the adoption of the code, even when no additions, alterations or repairs are being performed on the structure, the legal occupancy of the structure has not changed and no particularized hazard exists.

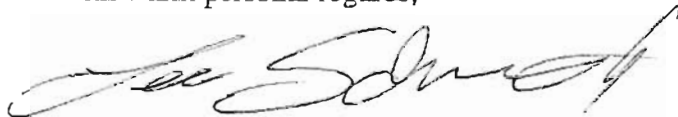
The Michigan Association of Home Builders is requesting a formal interpretation from the Commission on the following question:

"When no additions, alterations or repairs are being performed on the structure, the legal occupancy of the structure has not changed and the structure has no particularized hazard which requires abatement, do Sections Section R102.7 of the MRC, Section R102.6 of the MBC and Section 101.4 of the MRCEB allow for a building department to apply, on a general or occupancy group basis, a current code requirement to existing buildings?"

An example of such an application would be a building department requiring homes with basements which were built before the 2000 Michigan Residential Code requirement for emergency escape and rescue openings appeared in the code to retrofit those basements by installing those openings when no work is being done in the structure, the legal occupancy of the structure has not changed and no particularized hazard exists.

Please feel free to contact me if you have any questions or if I can offer you any further information.

With warm personal regards,

A handwritten signature in black ink, appearing to read "Lee Schwartz", written over a light blue rectangular background.

Lee Schwartz
Executive Vice President for Government Relations
Michigan Association of Home Builders

RECEIVED
DEPARTMENT OF
LABOR & ECONOMIC GROWTH

JAN 30 2008

Timothy P. Israel

◆ ◆ ◆

BUREAU OF CONSTRUCTION CODES
ADMINISTRATION DIVISION

PO Box 275 • Lakeville, MI 48366-0275
Ph/Fax 586-752-3480

January 28, 2008

Michigan Department of Labor & Economic Growth
Keith W. Cooley, Director
PO Box 30004
Lansing, MI 48909

Dear Mr. Cooley,

In your last correspondence to me, you state "I am confident any materials that you submit will be forwarded to the [Construction Code] Commission." **Your statement is the essence of my concerns, complaints and questions which have gone unanswered for over a year.** Although you may have been misled to believe my application has been submitted to the commission, the minutes of the Construction Code Commission meetings, in fact, do not reflect that it has been provided to the members of the commission as is required by 1986 PA 54 and 1972 PA 230. To date, the Commission has not been forwarded my application or "any materials". As well, the application states, "DLEG will not discriminate against any individual ..."

As you are aware through my previous correspondences, the directors within your Department, Mr. Green and Mr. Fisher, have continually denied the Commission the mandated requirement of viewing my application and "any materials", by ostensibly illegally holding my application. The same mandate of acting on my application, as is required by 1986 PA 54, which I have also outlined to you in previous correspondence: "The rules pertaining to 1986 PA 54 state clearly that a qualified applicant shall be deemed to be registered. I have complied with all applicable laws and rules as written regarding building inspector and building official registration and should be deemed to be registered immediately according to those same laws. The BCC, OLGCS must also follow these same rules and laws and register me." To date my application, appeal, information, documentation, letters and "any materials" have not, in fact been forwarded to the commission as required by 1972 PA 230 and 1986 PA 54. This has been requested by me numerous times in previous correspondences with these directors and now with you.

I am again requesting of you that my application, appeal, supporting documentation, letters and all correspondence ("any materials") be forwarded to the Construction Code Commission as is required by 1986 PA 54, 1972 PA 230, 1969 PA 306 and 1980 PA 299. For over a year now I have been requesting that the Agency follow the laws which they are charged with applying, to no avail. To my knowledge and belief, the agency specifically has violated rule 37(3) of the Rules governing registration of building inspectors, as well as my knowledge and belief that the agency has violated Section 12(2) of 1986 PA 54. I believe that by violating these rules and law, the agency is also violating 1969 PA 306, 1980 PA 299 and 1972 PA 230. I am again requesting that you, as Director of the Department of Labor & Economic Growth, which oversees the Bureau of Construction Codes and the Office of Local Government and Consumer Services, exercise your ability to provide superintending control over your Bureaus and follow the laws by forwarding my information and "any materials" as is required.

Mr. Cooley
January 28, 2008
page 2

I am again requesting of you that the rule, guideline, or law which allows the Bureau to "hold" my application be identified to me. This, too, has been requested numerous times within the last year.

The Bureau of Construction Codes Director, Mr. Green, has deliberately and falsely stated that "We have not acted on your application for registration." As I have previously provided to you, my application for building inspector was acted on and then denied (and consequently I filed an appeal) via correspondence from Mr. Fisher dated February 13, 2007. This is evidence that my application has, in fact, been acted on, contrary to Mr. Green's statement. As well, my application has been acted on, verified by additional correspondence from Mr. Fisher on March 6, 2007, by telephone from Mr. Charley Curtiss and Ms. Dorothy Pfister on April 16, 2007, by Mr. Fisher again on July 20, 2007 via correspondence, and by Mr. Fisher again on August 21, 2007 and August 24, 2007, through investigations of my application that he completed in various communities wherein I provided documentation with respect to my application. I have repeatedly requested an appeal of this denial according to Section 12 of 1986 PA 54. The Agency has refused to provide my qualified application to the construction code commission for approval or my appeal to the Commission for over a year now, as is required by law. Instead, the apparent personal bias of the agency against me continues by the ostensible illegal holding of my application, now that my qualification is undeniable through the documentation provided and subsequent acting on my application by the investigations completed by Mr. Fisher. I am requesting a copy of this information, as well as the information which was prepared to be presented to the Construction Code Commission, as noted in Mr. Fisher's March 6, 2007 correspondence to me.

And I believe now you, Director of the Department, allow this malfeasance to continue.

Although I have contacted the Appointments Division within the Office of the Governor as instructed to in the denial of my FOIA with regards to the Building Officials Advisory Board, I do not believe there will be any fruitful results to my request. The FOIA office within your department is incorrect to direct me there, being that according to Section 3(2) of 1986 PA 54, "The advisory board shall consist of 9 members appointed by the commission." The definitions within 1986 PA 54 define "Advisory Board" as "...the building officials advisory board..." and "Commission" as "...the state construction code commission..." Therefore, the Commission would had to have been given legal authority to not comply with 1986 PA 54 and not appoint a Building Officials Advisory Board, as well, I believe there should have been a vote. I am again requesting this information.

With regards to the Almont Township case, it appears that you have again been misled/misinformed and/or are misunderstanding the facts and the law/rules as written relative to this matter. Almont Township was, on the date my application was mailed to and received by the Bureau of Construction Codes, is now, remains, and continues to be the Authorized Enforcement Agency with "full enforcement authority" (your words) as defined in 1972 PA 230, satisfying the requirements of 1986 PA 54 in my application. In fact, on December 1, 2006, the date I was appointed, Almont Township received notice from Mr. Michael Somers, BCC, OLGCS, that the BCC, OLGCS had, "completed a thorough review of the Township's responses to recommendations contained within the performance evaluation report... the Township has provided information that addresses the recommendations contained within the report... our office [DLEG, BCC, OLGCS] was notified on

Mr. Cooley
January 28, 2008
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December 1, 2006, Paul Wilcox resigned as the Township's building official... therefore, in order to allow the Township a transition opportunity, we [the DLEG, BCC, OLGCS] propose that the reevaluation be scheduled in a time frame approximately 90 days from the date of this letter." On December 5, 2006, based upon this official notification from the BCC, Almont Township's Supervisor proceeded to complete the employer verification form within the application and I completed and submitted the application within the time period allowed by law. Almont Township's administration and enforcement status has not been revoked. I have repeatedly stated that the outcome of any Almont Township case has no bearing on my application. The Almont Township case is unrelated to my application as it stems from the actions of former Almont Township building inspector/official Paul Wilcox and has nothing to do with my application or qualifications. It is my belief that it is unlawful for the agency to co-mingle the two cases. The agency has admitted and verified, in written correspondence and documents over the last year, that Almont Township continues to be the authorized enforcement agency with a building inspector and building official on staff. So, again, it appears that the personal bias of the directors' against me which was first evidenced publicly on January 10, 2007 at the Construction Code Commission Meeting, a full year ago is impeding their ability to impartially judge and forward my application, documentation, and correspondence. I have repeatedly requested from Mr. Green, Mr. Fisher and you, any law, rule or section which allows the Department to withhold registration from me, a qualified applicant, constructively employed by an authorized enforcement agency, to no avail. Still, it is my belief that this is discrimination and harassment and that no such law exists, yet you, as Director of this Department, appear to do nothing to halt these retaliatory actions. I am again requesting from you, Director Cooley, the specific law, section, or rule which allows the DLEG to withhold registration from a qualified applicant who has complied with all the appropriate laws and rules and has paid the appropriate fees.

I again request to be protected by and firmly believe that the Whistle Blower Act does, in fact, apply to my situation, as I am currently employed as a registered code official/agent of the State of Michigan, Department of Labor, Bureau of Construction Codes, Office of Local Government and Consumer Services as a mechanical inspector, plumbing inspector, and plan reviewer for enforcing agencies in governmental subdivisions and additionally, building inspector and building official in Almont Township. Also, I carry State licenses as master plumber, mechanical contractor, residential builder, and boiler installer. Mr. Green is the director (authority) of the Bureau of Construction Codes, Mr. Fisher, the Director (authority) of the Office of Local Government and Consumer Services, which agencies manage such registrations and licensures. The Whistle Blower Act is intended to protect me as an individual/agent who has reported (suspected) violations of state law by people in authority. Mr's Green and Fisher, as directors, are "people in authority" within their positions. I have repeatedly and fervently provided information, documentation and laws which I believe Mr. Green and Mr. Fisher have violated to you, their superior, again to no avail.

The agency has accepted, processed and used the fees I paid for registration for over a year now, allowed me to act in the capacity of a building inspector and building official during this time, yet has refused to either submit my application to the building officials advisory board and/or commission for approval and registration or allow my requested appeal of their seemingly illegal denial to go forth. I have complied with the law and rules for registration. I have paid the required fees to be registered. Due to the agency's apparent willful disregard of the laws, a portion of those

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registration fees have not been utilized accordingly. Also, through the apparent malfeasance of Mr's Fisher and Green, the agencies delays have caused a loss of continuing education credits that could have been obtained had my registration been approved in a timely manner according to the Acts. [I have additionally gained over twelve months of practical experience as a building inspector and building official since December 1, 2006, further complying with 1986 PA 54 Section 2(1)].

The Construction Code Commission has not been forwarded my application as required, and it appears also that you have not fully reviewed my application, documentation, correspondences, or file, as my concerns, requests for legality and questions have again gone unanswered. I have provided this information to you numerous times, also with inadequate response from you based in law. It appears you have again been misled to review the file of Paul Wilcox and/or Almont Township instead of mine as I requested. To be sure that there is no further miscommunication on you or your agency's parts, I am again requesting you and the Construction Code Commission review my application, documentation, correspondence and "any materials" and also respond in writing to each and every one of my concerns and questions which have gone unanswered for over a year now:

- Provide legal authority to withhold registration from a qualified applicant which application complies with all the applicable laws and rules.
- Provide legal authority to "hold," "Not act on," "put on hold" or otherwise shelve an application from a qualified applicant complying with all applicable laws and rules and with appropriate fees paid.
- Provide legal documentation of authority to discriminate against a qualified applicant based upon the actions and/or outcomes of other, independent parties and/or cases.
- Provide legal documentation of authority to co-mingle separate cases.
- Provide legal documentation of requirement of a qualified applicant to have two sponsoring communities.
- Provide legal authority to allow personal bias of directors to affect the application status of a qualified applicant.
- Provide legal documentation of authority to provide false statements and testimony.
- Provide information as detailed in Mr. Fishers March 6, 2007 letter, "...a copy of the information being presented to the Commission regarding your application."
- Provide legal documentation of authority to deny/withhold the appeals process.
- Provide legal basis/authority for the non appointment of the Building Officials Advisory Board and transfer of this board's activity to the Construction Code Commission.
- Exercise superintending control and investigate the apparent personal bias, discrimination, harassment, malfeasance, unprofessional behavior and illegal activities of the Agencies.
- Exercise superintending control and provide my application, appeal, and supporting documentation to the Construction Code Commission for approval.

I again request that you, as Director of this Department, intercede and expeditiously forward my application, appeal, documentation, correspondence, and "any materials" to the Construction Code Commission (as you have stated, acting in the capacity of the Building Officials Advisory Board) as is required by 1986 PA 54 and 1969 PA 306. Again, I have only repeatedly provided the same

Mr. Cooley
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information contained in my application, as is documented by Dorothy Pfister on April 16, 2007. Not, as Mr. Green suggests, that "... you have submitted several supplemental packages to support your experience in the building field." The agency has acted on my application numerous times, yet denies doing so and apparently refuses to follow the laws as written. I would also ask that you and the members of the Commission review my application, documentation, and all correspondence generated from December 1, 2006 to the present. I believe if the commission had received my application promptly, there would have been an impartial board deciding on my application, not the dictatorship that the BCC appears to be and I would have been registered in a timely manner. I would expect a prompt response, as time is of the essence. Your bureau's directors have caused this matter to languish for over a year already by refusing to provide to the Construction Code Commission the materials the laws/rules mandate.

Sincerely,

A handwritten signature in black ink, appearing to read 'Timothy Israel', with a long horizontal stroke extending to the right.

Timothy Israel
Code Official 004528

CC: Jennifer Granholm, Governor
Mike Cox, Attorney General
Rita Proctor Canady, Deputy Director, DLEG
Gary Groesbeck, Almont Township Supervisor
Eric Knuth, Township Attorney
Senator Jud Gilbert
Karen Putnam, Michigan Ombudsman Office
Representative John Stahl
Members of the Construction Code Commission



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

February 11, 2008

Mr. Timothy P. Israel
P.O. Box 275
Lakeville, MI 48366-0275

Dear Mr. Israel:

I have been asked to respond to your letter of January 28, 2008, to Department Director Keith Cooley concerning your application for registration as a building official. Your letter outlines a number of issues and I will respond to each issue in the order they appear in your letter.

In your letter, you quote Director Cooley's statement "I am confident any materials you submit will be forwarded to the Commission." You raised a concern that your communications were not provided to the commission. At the point this statement was made, the bureau had not received any communications addressed to the Commission. With respect to your application for registration, we have advised you we will not make a recommendation to the Commission until the matter of the status of Almont Township's ability to administer and enforce the codes is resolved. Your latest communication, in which you copied members of the Commission, will be included in their next agenda package under public comment. The meeting of the Commission is scheduled for 9:30 a.m. on March 5, 2008. Once your application for registration is presented to the Commission a complete copy of the pertinent information will be included with that recommendation.

As I have noted above, the previous materials submitted in support of your application for registration will be acted upon when the matter of authority for the administration and enforcement of the codes within Almont Township has been resolved. While you may not agree with the position taken in this matter, it is our position that the notice to withdraw the authority forestalls any action on new registration applications submitted under the auspices of the Township until the status of the authority has been concluded. The matter is currently pending an administrative hearing, in which a recommendation will be forthcoming to the Commission for their final determination. Should your application be submitted at this point, it would be our recommendation to table the matter until the recommendation, as a result of the hearing, is presented to the Commission.

Providing for Michigan's Safety in the Built Environment

BUREAU OF CONSTRUCTION CODES
P.O. BOX 30254 • LANSING, MICHIGAN 48909
Telephone (517) 241-9302 • Fax (517) 241-9570
www.michigan.gov

Mr. Timothy P. Israel

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In earlier communications, you were advised you may apply through another community and your application will be acted upon. Director Cooley reiterated this advice in his last letter to you.

With respect to the actions taken on previous applications, it is true your earlier application for registration as a building official was denied. This information was provided in our communications to you outlining the actions taken including the process through which your mechanical registration was ultimately approved. These actions were taken through communities in which the ability to administer and enforce codes was not under review. Your letter quotes a statement attributed to me in which I noted "We have not acted on your application for registration." My comments were reflecting on your application for registration as a building official, as it was the matter under consideration currently, not the previous application. In the February 13, 2007, letter from Scott Fisher, it is noted "your request will not be acted upon until a final determination is made relative to the Notice of Intent to Withdraw Almont Township's authority to administer and enforce construction codes." Your application has not been denied but rather has not been acted upon.

In the February 13, 2007 letter, Mr. Fisher also noted, "because you were unable to provide us with evidence that you have obtained four years of experience as required by rule 37 within a twelve year period preceding the date of your application, your application for registration as a building inspector is denied. You may appeal this decision by contacting the bureau in writing. If we do not receive your request for an appeal within 15 days, your application will be canceled."

On February 27, 2007, you wrote to Mr. Fisher requesting an appeal of the decision to your application for registration as a building inspector. In that letter you include additional information for consideration.

On March 6, 2007, Mr. Fisher responded to your letter indicating your application for provisional registration would be presented to the Construction Code Commission for consideration on May 2, 2007.

On April 16, 2007, you communicated with Charlie Curtis and Dorothy Pfister indicating you wished to "memorialize our telephone conversations today . . ." you also indicated that "She (Dorothy) was calling in regards to my appeal of the denial of my registration as a building inspector, indicating that the appeal would not be necessary. Dorothy and I discussed the situation and she said she would 'put a hold' on the appeal, stating I would not need to attend the May 2, 2007 meeting."

Mr. Timothy P. Israel
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In that letter you also noted, "We discussed that by providing more clarity on my hours of experience, Dorothy and I thought it would be a better option than going through the appeal."

On April 26, 2007, you wrote to Ms. Pfister including additional information to substantiate your experience in the building field.

On July 20, 2007, Mr. Fisher responded to your July 7, 2007, letter in which you requested the status of your application. In his response, Mr. Fisher stated, "your application for registration for building official and building inspector has been placed on hold pending the outcome of the hearing related to the Notice of Intent to Withdraw the Township's authority to administer and enforce the construction codes."

On August 3, 2007, you wrote to Mr. Fisher again outlining your concerns and requesting action on your application.

On August 25, 2007, you wrote to Director Cooley. I responded to that letter on September 7, 2007, and outlined the actions taken and indicated an administrative hearing was pending and upon a determination, your application would be acted upon given the outcome of the hearing.

On September 24, 2007, I responded to your letter of September 8, 2007, in which you posed several questions, the majority of which related to Almont Township and the actions taken in that matter.

On October 18, 2007, you wrote to Director Cooley indicating my letter of September 24, 2007, "fails to answer any of my previous questions or concerns, nor does it provide any legal basis for the withholding of my registration." In his response, Director Cooley noted the issue of the jurisdictional question pending before the Commission in the matter of Almont Township and the impact this decision would have in processing your application for registration as a building official and inspector for Almont Township. He also notes that your application could be acted upon should it be submitted through a community that is not pending a review of its authority.

In your latest letter, you question the appointment of the Building Official Advisory Board. Director Cooley was not in office at the time the decision was made to not reappoint this body. I will attempt to respond directly to the question you have posed.

No formal action was taken notifying the Commission that the appointments were not required. A verbal notification was provided to the Commission. The information presented to the Commission was based in part on language in 1986 PA 54. Section 3 which states the board was created within the Department "to assist the commission in **establishing standards and criteria for the training and qualifications of building officials.**"[emphasis mine]

Mr. Timothy P. Israel

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Additionally, Section 12 of the Act requires individuals who become “. . . appointed or employed as a building official, inspector or plan review by an enforcing agency, unless the person is registered under this act and the rules promulgated under this act.” to be registered under the Act **by making application to the Commission.** [emphasis mine]

The Building Official Advisory Board was viewed as having fulfilled its responsibility in developing standards and was no longer necessary. A review of applicants by the other respective licensing boards is to determine sufficiency of licensing and to give the Commission advice on the qualifications of individuals where questions arise concerning their expertise in the trade areas. The members of the Commission represent a broad spectrum of the construction industry and represent all of the qualification categories for the Building Officials Advisory Board. As such to reduce operational costs and to eliminate duplicative functions and streamline processes the Commission assumed this responsibility.

The questions you have outlined concerning the dates of the performance evaluation and when you were appointed have been reviewed in earlier communications and I do not believe it is necessary to reiterate the chronology of these events. My letter of September 24, 2007, includes a detailed chronology of this matter.

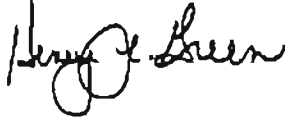
As outlined in Director Cooley's November 19, 2007, letter the question of the applicability of the Whistle Blowers Protection Act was outlined. Your assertion that you are an agent of this Department or Bureau is not appropriate. Neither the Department nor the Bureau have engaged you in any form of a contract for services as an employee. The primary responsibility for the administration and enforcement of the Act and the Code is vested in the Department. A local community may elect to administer and enforce a code as provided by 1972 PA 230. Should they pursue this election, they must provide information indicating qualified individuals, registered to perform the duties associated with the administration and enforcement of the codes have been employed to carry out these duties. This is but one of the requirements to receive approval to administer and enforce a code. The filing of an application to receive registration is an acknowledgement of the qualifications of an individual and is not a contract to perform services on behalf of the state. As an employee of the local community you have a duty to that employer to carry out your responsibilities and would be afforded protections under the Whistle Blowers Protection Act for actions in that community.

Concerning the items outlined in your letter on page 4, I believe each item has been responded to in this letter or earlier communications. In my earlier communication, I noted it is indeed unfortunate that the matter of the performance evaluation has not progressed more efficiently. Given the issues and the nature of the complaint, we are processing this matter as expeditiously as possible. To proceed however, we need to have responses from all parties in this matter.

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Hopefully, this information will assist in your understanding of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Henry L. Green". The signature is fluid and cursive, with the first name "Henry" and last name "Green" clearly distinguishable.

Henry L. Green, Hon. AIA
Executive Director

HLG/hav

Cc: Director Keith W. Cooley
Rita Canady
Marty Gibbs
Karen Putnam, Michigan Ombudsman Office
Scott Fisher
Senator Jud Gilbert
Representative John Stahl
Mike Cox, Attorney General
Gary Groesbeck, Township Supervisor
Eric Knuth, Township Attorney
Members of the State Construction Code Commission

RN

RICHARD NASH & ASSOCIATES

Attorneys and Counselors At Law

5787 Dryden Road • Dryden, Michigan 48428-9719

RICHARD D. NASH

JULIE NASH-FLANDERS

RECEIVED
DEPARTMENT OF
LABOR & ECONOMIC GROWTH

FEB 20 2008

BUREAU OF CONSTRUCTION CODES
ADMINISTRATION DIVISION

February 06, 2008

Telephone
(810) 796-3013
Fax
(810) 796-2242

State of Michigan
Keith Cooley
Department of Labor & Economic Growth
Bureau of Commercial Services

RE: Dryden Construction, Inc.
Douglas Nucci
Complaint No.: 298837

**Request to have this correspondence read at the next
scheduled meeting of the Construction Code Commission**

Dear Mr. Cooley:

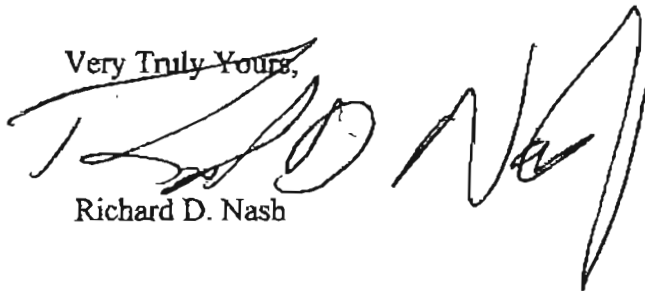
This office has been requested to intervene in regard to the above referenced complaint.

It is our understanding that the State of Michigan has commenced an investigation in regard to a home identified as the "Smylie Home." We are concerned that your department would even become involved in this matter as it was years beyond the 18 month complaint period when this file was first opened. As you well know, State Statutory Law at the time of construction of the subject home was quite clear that a homeowner has 18 months during which to file a complaint in regard to any alleged new home construction complaints. Based upon this information we respectfully request that you close the complaint filed against my client.

Furthermore, this office is very concerned about Mr. Don Pratts involvement in this case. Please be advised that my client and my office both had discussions regarding the "Smylie home" with Mr. Pratt and Mr. Pratt indicated that he would serve as our expert witness on behalf of my client in this matter. Based upon his acceptance and indication that he would act as our expert witness – we provided Mr. Pratt with confidential information regarding our legal position and legal arguments. It would be a conflict of interest and a serious breach of confidentiality and our work product in the

event Mr. Pratt was to serve as an expert witness for the other side. Based upon this information we respectfully request that Don Pratt recuse himself totally from any involvement in this case and any expert opinions and /or testimony should not be considered, allowed, nor admissible in any hearings or otherwise in regard to this file. I am attaching supporting documentation as to Mr. Pratt's involvement in this matter.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'RD Nash', written over the closing 'Very Truly Yours,'.

Richard D. Nash

RDN: lc

cc: Henry Green
Scott Fisher
Mark Siscoe
Mike Sommers
Leslie Stewart
Members of the Construction Code Commission
State Attorney General Mike Cox
Almont Township Building Department

From: doug nucci
To: dpratt@wakepratt.com
Date: Thursday, February 1, 2007 8:45:30 AM
Subject: Following up from the show in Port Huron

Mr Pratt,

First let me thank you for taking the time to read this.

My name is Douglas Nucci and my company is Dryden construction. I built a spec. home in the late summer of 2000 in Almont Twp. And I received My C.O. On Feb. 12th. 2001 on this home. Then I sold the home to Pat and Judy Smiley on March 15th of that same year. I also provided the Smileys with a one year warranty at the time of closing.

Shortly after the Smileys moved in their home I received a call from Pat as to some issues he had. I promptly responded to his concerns and took the necessary actions toward them. I did have a problem with one of his concerns and that was a small amount of water leaking in around his basement window on the west side of his home. I felt that the water was coming in from the flashing at the rowlock. So I removed the siding partially from the wall and caulked and installed some new flashing. I thought this had taken care of his problem so I went around the entire home and re-caulked all of the flashing. After a period of time I received another call from Pat he stated that he had gotten some more water infiltrating in on the west side again. I responded again in a prompt manner and again removed the siding and tried to find the cause. This time I removed the siding off the wall up and over a window above the basement window. I thought the water might of been getting in around the upper window and behind the Tyvek channeling down into the basement window. That was not the case so it had appeared. So I contacted a local Mason to help me determine the cause. We determined that the water was coming in at the masonry joint at the window. I hired the mason to repair this and also repair some rowlock that was too close to a window in the rear of the home. It was causing some periodic binding on the casement window. I thought this matter was closed because I had not heard from Pat for many months after the repairs were made.

In the spring of 2003 I received a certified letter stating that I was to appear in small claims court with the Smileys. At that time Pat provided the court with some photos of his brick and some other complaints he had. Some of which were at the least ridiculous. Pat even complained that he could not put his dryer against the wall because the pipe was in the way. [For an example]. I provided the judge with a copy of my warranty and explained my position. The judge did give some warrant to some of Pat's complaints and awarded him some money to make the repairs. The judge also felt my warranty was binding and honored it. Pat agreed and signed a Satisfaction of judgment and I promptly paid him.

Then in the spring of 2004 I received another call from Pat. He told me that he had gotten some water in on the East side of his home. Now this is over 3 years of occupancy at the home and after he had received a judgment from me. I told Pat I would get back with him. After talking to my attorney the following morning he informed me that I had no further responsibility to go in Pat's home. He stated that it was over 3 years and that He was paid for to make the repairs. When I received a call from Pat that evening I explained that to him and that the water he received was from a rain storm with winds exceeding 50mph. And that there were a lot of homes under water from the 10 inches of rain we had gotten.

This brings me to this now:

On September 17th 2005 I received a letter from Almont twp. In that letter they stated that Mr. Leslie Stuart had did a inspection on the Smiley home and found that the brick was not installed per code in 2000. Mr Stewart also stated that Pat had complained about a over active sump pump in which he reported no findings. I talked to the inspector from Almont about this and he stated that it was a new code and that he was not enforcing it at that time. I did some research and found out that there were very few municipalities enforcing the masonry codes up until 2004 and that there are some that to this date are not doing so. I instructed the inspector that I was not obligated to do any work on Pat's home and that he was awarded damages to make the repairs. He agreed with me and stated that he told the Twp. attorney the

same thing. I latter received a letter form Almont giving me 60 day's to make the repairs. Now let me make it clear.. Almont never formally called me into their office to discuss this matter or get my side of this. The only time I got any information was if I had run into the inspector on the streets.Had they done so I am sure that would not have acted with such negligence as to revoke my C.O. Something I have learned recently learned that they regret.

After I received the letter revoking my C.O. { 5 and a half years after the home was built} I asked my attorney to call a meeting with Almont twp. and their attorneys. I again asked their inspector about his code enforcement in 2000 and he again explained that it was a relatively new code and that he was allowing a period of time for the trades to adopt it. [If the inspectors are not enforcing the codes , then how are the trades and builder to know about them?} With that being said I turned my attention to the Twp supervisor and attorney had explained to them that this is a common practice in allot of townships and that I was not going to be singled out on this matter. I also stated that their were hundreds of homes in their township that were also in violation and that I hope they were ready for all of those people to come forward. They said that they were only worried about the Smiley case.I then told them of my conversation with Mike Sommers at the construction code . Mike indicated to me that his office never told Almont to rescind my C.O. that they only suggested it as a coarse of action. Mike also told me off the record that they never thought Almont would do such a thing. Expecially after learning that it was openly admitted that they did not enforce the codes back then. Mike also stated to me that once a case goes to litigation that his office steps aside and that he was not aware of such court intervention. He also stated to me that once a homeowner does work on his home without a permit a builders warranty is voided. Something Pat has done. And I might add ,Almont twp still has not cited him for. Such as finishing off his basement. Now I also want to add that Almonts inspector has also stated that he has observed Pats home being worked on prior to all of this and after my settlement with Pat. He states that he cannot be sure the situation was not made worse by Pat or his contractor because he never pulled a permit for that work either. Meaning Pat might now blaming me for work he or his contractor has done?

Now Almont has given me a citation which I am going to fight in court. But It has now come to my attention that Mr . Stuart re-visited Pat's home on December 4Th of 2006. In that report he states a over active sump pump with no place to direct the water. Now I want to know is what right does he have to go there in a dry period and say there is no problem then return in the late fall after 4.5 inches of rain and make such a statement.Is it not the whole purpose of having a sump pump? Furthermore Pat is directing his water to the s/e corner of his property. The natural flow of the land is to the n/w corner . This is directing the water right back to his home so he is only recirculating it. There is a catch basin in the back yards of both Pat and his neighbors yard and a 8 inch farm tile that removes the water to a county drain .If Pat directed his water that way he would not have any problem.I have provided the current inspector with photos and even took them for a ride out to P at's home to observe for themselves. They are in complete agreement with me on this issue. I also want to state that if Pat had such a water problem , why would he of finishes off his basement ? Something Almont still has not cited him for.What Pat is out to do is try to ruin people lives something he has stated to his neighbor and I was also told that he stages allot of things prior to meeting with construction code and the press.Something he has been getting allot of I might add. Now there are allot of other details on this issue, and I only reflected on some of the more relevent ones. I can be contacted by 810-614-2228 or by my email address dgn42002@yahoo.com if you have any questions. I appreciate any help you can offer in this matter.

Thanks again for your time.

Douglas G. Nucci

Never miss an email again!